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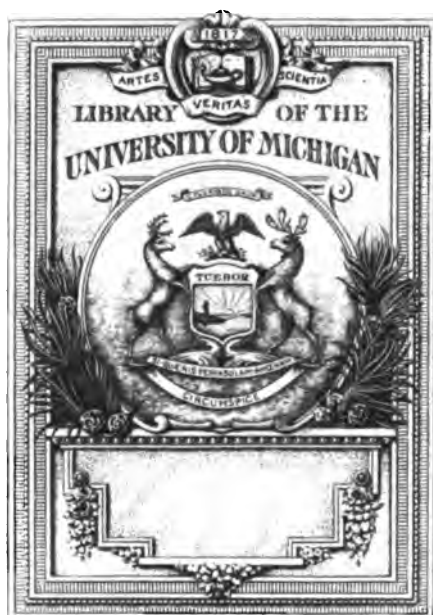
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**JOURNAL**

OF THE



**HOUSE OF REPRESENTATIVES**

OF THE

**STATE OF MICHIGAN.**

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**1869.**  
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Printed by virtue of an Act of the Legislature, under the direction and supervision of

**NELSON B. JONES,**

Clerk of the House of Representatives.



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**BY AUTHORITY.**  
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**LANSING:**

**W. S. GEORGE & CO., PRINTERS TO THE STATE.**  
**1869.**



# HOUSE JOURNAL.

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*Lansing, Wednesday, January 6, 1869.*

Pursuant to the requirements of the Constitution, the members elect to the House of Representatives of the Legislature of the State of Michigan, for the year 1869, assembled in the Representative Hall of the Capitol, at Lansing, on Wednesday, the sixth day of January, at 11 o'clock A. M., and were called to order by Nelson B. Jones, Clerk of the last House.

Prayer was offered by Rev. J. A. B. Stone, D. D., of Kalamazoo.

Upon examining the credentials of members, it was ascertained that the several counties were fully represented, except the county of Keweenaw, the second district of Monroe county, and the fourth district of Oakland county.

On motion of Mr. R. B. Smith,

Hon. B. W. Huston, of Tuscola county, was chosen Speaker *pro tem*.

On motion of Mr. Ingersoll,

The Speaker *pro tem*. was authorized to appoint a Sergeant-at-Arms *pro tem*.

The Speaker *pro tem*. appointed Abner Barlow, of Wayne county, as Sergeant-at-Arms *pro tem*.

Mr. Dussseau moved that a committee of two be appointed to wait on Lieutenant Governor Bates, and invite him to administer the oath of office to the several members elect;

Which motion prevailed.

The Speaker *pro tem*. appointed Mr. Dussseau, of Monroe, and Mr. Sanford, of Ingham, as such committee.

After a short absence, the committee reported Lieutenant Governor Bates in attendance.

The roll of the members was then called by counties and districts, when the following members answered to their names, and having subscribed and taken the oath of office, were admitted to seats as Representatives in the Legislature of the State of Michigan:

*Allegan County*—1st District, Frank D. Stockbridge; 2d District, Milo E. Gifford.

*Barry County*—1st District, Robert J. Grant; 2d District, Adam Elliott.

*Bay County*—Luther Westover.

*Berrien County*—1st District, Almond B. Relford; 2d District, Emory M. Plimpton; 3d District, Julian M. Seward.

*Branch County*—1st District, James A. Williams; 2d District, Ezra Bostwick; 3d District, Isaac D. Beall.

*Calhoun County*—1st District, Benjamin Clark; 2d District, Loomis Hutchinson; 3d District, John Wagner.

*Cass County*—1st District, Uzziel Putnam, Jr.; 2d District, James Ashley.

*Clinton County*—1st District, Franklin L. Smith; 2d District, Aaron Sickels.

*Eaton County*—1st District, Edmund W. Hunt; 2d District, Almon A. Thompson.

*Genesee County*—1st District, Dexter Horton; 2d District, Edward M. Mason; 3d District, James L. Curry.

*Grand Traverse County, etc.*—William H. C. Mitchell.

*Gratiot County*—Horace T. Barnaby.

*Hilledale County*—1st District, Henry McCowen; 2d District, Harvey B. Rowleson; 3d District, John M. Osborn.

*Houghton County*—John Q. McKernan.

*Huron County*—Joseph W. Snell.

*Ingham County*—1st District, Geo. P. Sanford; 2d District, Daniel L. Crossman.

*Ionia County*—1st District, Robert B. Smith; 2d District, Abiel S. Stannard.

*Jackson County*—1st District, John H. Hubbard; 2d District, Jerome B. Eaton; 3d District, Levi N. Goodrich.



*Kalamazoo County*—1st District, Enos T. Lovell; 2d District, Alexander Cameron; 3d District, John Walker.

*Kent County*—1st District, George G. Briggs; 2d District, Thomas J. Slayton; 3d District, Lyman Murray; 4th District, William R. Davis.

*Lapeer County*—1st District, Lucius Kendrick; 2d District, Ellery A. Brownell.

*Lenawee County*—1st District, Charles A. Jewell; 2d District, Benjamin L. Baxter; 3d District, Jacob Walton; 4th District, Brackley Shaw, Jr.; 5th District, Archer H. Crane.

*Livingston County*—1st District, James B. Lee; 2d District, Mylo L. Gay.

*Mackinac County, etc.*—Jacob A. T. Wendell.

*Macomb County*—1st District, Norton L. Miller; 2d District, Frederick G. Kendrick; 3d District, Elisha F. Mead.

*Marquette County, etc.*—Hubert G. Williams.

*Midland County, etc.*—Isaac A. Fancher.

*Monroe County*—1st District, Joseph Weier; 3d District, Victor A. Duseau.

*Montcalm County*—John Avery.

*Muskegon County*—Henry H. Holt.

*Newaygo County, etc.*—Ceylon C. Fuller.

*Oakland County*—1st District, Elliot R. Wilcox; 2d District, Bela Cogshall; 3d District, George Vowles.

*Ontonagon County*—William D. Williams.

*Ottawa County*—1st District, John E. Blake; 2d District, Henry A. Norton.

*Saginaw County*—1st District, Peter Lane; 2d District, Samuel W. Yawkey.

*Sanilac County*—George H. Fenner.

*Shiawassee County*—1st District, John N. Ingersoll; 2d District, Edgar B. Ward.

*St. Clair County*—1st District, Nathan S. Boynton; 2d District, Cyrus Miles; 3d District, William W. Hartson.

*St. Joseph County*—1st District, William R. Eck; 2d District, Charles R. Millington; 3d District, James W. Mandigo.

*Tuscola County*—Benjamin W. Huston, Jr.

*VanBuren County*—1st District, Jonathan J. Woodman; 2d District, William H. Hurlburt.

*Washtenaw County*—1st District, Charles Shier; 2d District, James Kingsley; 3d District, Newton Sheldon; 4th District, Orman Clark.

*Wayne County*—1st District, James W. Romeyn, Claude N. Riopelle, Peter Klein, William Purcell, Thomas W. Harris; 2d District, Peter Ternes; 3d District, Robert V. Briggs; 4th District, George W. Swift; 5th District, James Stewart.

On motion of Mr. Beall,

The House took a recess until this afternoon at 2½ o'clock.

#### AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Mr. Beall offered the following:

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House until further ordered; Which was adopted.

On motion of Mr. Ingersoll,

The House proceeded to the election of Speaker, with the following result:

#### FOR JONATHAN J. WOODMAN.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Hartson, | Mr. Riford,  |
| Avery,        | Holt,        | Rowlson,     |
| Barnaby,      | Horton,      | Sanford,     |
| Baxter,       | Hunt,        | Seward,      |
| Beall,        | Hurlburt,    | Shaw,        |
| Blake,        | Huston,      | Shier,       |
| Bostwick,     | Hutchinson,  | Sickels,     |
| Boynton,      | Ingersoll,   | Slayton,     |
| G. G. Briggs, | Jewell,      | R. B. Smith, |
| Brownell,     | L. Kendrick, | Snell,       |
| Cameron,      | Kingsley,    | Stannard,    |

|           |             |                 |
|-----------|-------------|-----------------|
| B. Clark, | Lane,       | Stockbridge,    |
| Crane,    | Lovell,     | Swift,          |
| Crossman, | Mandigo,    | Thompson,       |
| Curry,    | McCowen,    | Vowles,         |
| Davis,    | Mead,       | Wagner,         |
| Eck,      | Miller,     | Walker,         |
| Elliott,  | Millington, | Walton,         |
| Fancher,  | Mitchell,   | Ward,           |
| Fenner,   | Murray,     | Westover,       |
| Fuller,   | Norton,     | H. G. Williams, |
| Gifford,  | Osborn,     | J. A. Williams, |
| Goodrich, | Plimpton,   | Yawkey,         |
| Grant,    | Putnam,     | 71              |

## FOR JAMES KINGSLEY.

|                   |            |                  |
|-------------------|------------|------------------|
| Mr. R. V. Briggs, | Mr. Klein, | Mr. F. L. Smith, |
| O. Clark,         | Lee,       | Stewart,         |
| Cogahall,         | McKernan,  | Ternes,          |
| Dusseau,          | Miles,     | Weier,           |
| Gay,              | Purcell,   | Wendell,         |
| Harris,           | Romeyn,    | Wilcox,          |
| Hubbard,          | Sheldon,   | W. D. Williams,  |
| F. G. Kendrick,   |            | 22               |

## FOR BENJAMIN W. HUSTON, JR.

|              |   |
|--------------|---|
| Mr. Woodman, | 1 |
|--------------|---|

The Speaker *pro tem.* announced that Hon. J. J. Woodman, of Van Buren county, having received a majority of all the votes cast, was duly elected to the office of Speaker of the House.

Mr. Ingersoll moved that a committee of two be appointed to wait on the Speaker elect, and conduct him to the chair;

Which motion prevailed.

The Speaker *pro tem.* appointed Messrs. Ingersoll and R. B. Smith as such committee.

The committee performed the duty assigned them, and the Speaker elect, on assuming the chair, addressed the House as follows:

GENTLEMEN OF THE HOUSE: I should be false to the impulses of human nature, did I not express to you my gratitude for this manifestation of your confidence, and the honor you have conferred upon me, in selecting me as your presiding officer.

I am fully aware of the grave and responsible duties devolving upon the presiding officer of a legislative body, and I should shrink from assuming the responsibilities of the position, were I not confident that by proper courtesy, strict attention to business, and a conscientious regard for the rights and privileges of members, I shall not only merit, but receive your hearty aid and coöperation in discharging those duties.

The nature of the business before us demands that we should cultivate a spirit of harmony and mutual forbearance with each other, that we may be able to perform the work entrusted to our hands, with honor to ourselves, and due regard for the best interests of our constituents. We are the representatives of the people, who have delegated to us, for the time being, powers most sacred, which belong to them; though coming from different districts, and seemingly representing different interests, yet, we do in fact, represent but one interest, and that is the interest of the Commonwealth. Then let us lay aside all selfishness, and as far as possible, endeavor to overcome our prejudices, and enter upon the legislation before us, in the spirit of true statesmanship, remembering that the future prosperity and advancement of our State, depends not more upon her material resources, than upon the wisdom of her legislation. Again, gentlemen, thanking you for the honor you have conferred upon me, and invoking your constant aid and forbearance, I assume, with much diffidence, the duties of the chair.

On motion of Mr. Cameron,

The House proceeded to the election of Chief Clerk, with the following result:

FOR NELSON B. JONES.

|             |              |             |
|-------------|--------------|-------------|
| Mr. Ashley, | Mr. Hartson, | Mr. Rowson, |
| Avery,      | Holt,        | Sanford,    |
| Barnaby,    | Horton,      | Seward,     |
| Baxter,     | Hunt,        | Shaw,       |
| Beall,      | Hurlburt,    | Shier,      |
| Blake,      | Huston,      | Sickels,    |
| Bostwick,   | Hutchinson,  | Slayton,    |

|               |              |                 |
|---------------|--------------|-----------------|
| Boynton,      | Ingersoll,   | R. B. Smith,    |
| G. G. Briggs, | Jewell,      | Snell,          |
| Brownell,     | L. Kendrick, | Stannard,       |
| Cameron,      | Lovell,      | Stewart,        |
| B. Clark,     | Mandigo,     | Stockbridge,    |
| Crane,        | McCowen,     | Swift,          |
| Crossman,     | Mead,        | Thompson,       |
| Curry,        | Miles,       | Vowles,         |
| Davis,        | Miller,      | Wagner,         |
| Eck,          | Millington,  | Walker,         |
| Elliott,      | Mitchell,    | Walton,         |
| Fancher,      | Murray,      | Ward,           |
| Fenner,       | Norton,      | Westover,       |
| Fuller,       | Osborn,      | H. G. Williams, |
| Gifford,      | Plimpton,    | J. A. Williams, |
| Goodrich,     | Putnam,      | Yawkey,         |
| Grant,        | Riford,      | Speaker, 72     |

## FOR HENRY STARKEY.

|                   |                     |                 |
|-------------------|---------------------|-----------------|
| Mr. R. V. Briggs, | Mr. F. G. Kendrick, | Mr. Romeyn,     |
| O. Clark,         | Kingsley,           | Sheldon,        |
| Cogshall,         | Klein,              | F. L. Smith,    |
| Dusseau,          | Lane,               | Ternes,         |
| Eaton,            | Lee,                | Weier,          |
| Gay,              | McKernan,           | Wendell,        |
| Harris,           | Purcell,            | Wilcox,         |
| Hubbard,          | Riopelle,           | W. D. Williams, |

24

The Speaker announced that Nelson B. Jones, of Ingham county, having received a majority of all the votes cast, was duly elected to the office of Chief Clerk.

On motion of Mr. Mead,

The House proceeded to the election of an Engrossing and Enrolling Clerk, with the following result:

## FOR EDWIN A. THOMPSON.

|             |              |             |
|-------------|--------------|-------------|
| Mr. Ashley, | Mr. Hartson, | Mr. Riford, |
| Avery,      | Holt,        | Rowlson,    |
| Barnaby,    | Horton,      | Sanford,    |
| Baxter,     | Hunt,        | Seward,     |
| Beall,      | Hurlburt,    | Shaw,       |
| Blake,      | Huston,      | Shier,      |
| Bostwick,   | Hutchinson,  | Sickels,    |
| Boynnton,   | Ingersoll,   | Slayton,    |

|               |              |                 |
|---------------|--------------|-----------------|
| G. G. Briggs, | Jewell,      | R. B. Smith,    |
| Brownell,     | L. Kendrick, | Snell,          |
| Cameron,      | Lane,        | Stannard,       |
| B. Clark,     | Lovell,      | Stockbridge,    |
| Crane,        | Mandigo,     | Swift,          |
| Crossman,     | Mason,       | Thompson,       |
| Curry,        | McCowen,     | Vowles,         |
| Davis,        | Mead,        | Wagner,         |
| Eck,          | Miller,      | Walker,         |
| Elliott,      | Millington,  | Walton,         |
| Fancher,      | Mitchell,    | Ward,           |
| Fenner,       | Murray,      | Westover,       |
| Fuller,       | Norton,      | H. G. Williams, |
| Gifford,      | Osborn,      | J. A. Williams, |
| Goodrich,     | Plimpton,    | Yawkey,         |
| Grant,        | Putnam,      | Speaker, 72     |

## FOR EDWIN R. MERRIFIELD.

|                   |                 |              |
|-------------------|-----------------|--------------|
| Mr. R. V. Briggs, | Mr. Hubbard,    | Mr. Sheldon, |
| O. Clark,         | F. G. Kendrick, | F. L. Smith, |
| Cogshall,         | Lee,            | Ternes,      |
| Dusseau,          | Purcell,        | Weier,       |
| Eaton,            | Riopelle,       | Wilcox.      |
| Gay,              | Romeyn,         | 17           |

## FOR CHARLES W. BUTLER.

|             |               |                 |
|-------------|---------------|-----------------|
| Mr. Harris, | Mr. McKernan, | Mr. Wendell,    |
| Kingsley,   | Stewart,      | W. D. Williams, |
| Klein,      |               | 7               |

The Speaker announced that Edwin A. Thompson, of Van Buren county, having received a majority of all the votes cast, was duly elected Engrossing and Enrolling Clerk.

The Sergeant-at-Arms, *pro tem.* announced a committee from the Senate.

The committee informed the House that the Senate had perfected its organization, and was now ready to proceed to business.

On motion of Mr. Brownell,

The House proceeded to the election of Sergeant-at-Arms, with the following result:

## FOR ALFRED BARLOW.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Hartson, | Mr. Riford,     |
| Avery,        | Holt,        | Rowlson,        |
| Barnaby,      | Horton,      | Sanford,        |
| Baxter,       | Hunt,        | Seward,         |
| Beall,        | Hurlburt,    | Shaw,           |
| Blake,        | Huston,      | Shier,          |
| Bostwick,     | Hutchinson,  | Sickles,        |
| Boynton,      | Ingersoll,   | Slayton,        |
| G. G. Briggs, | Jewell,      | R. B. Smith,    |
| Brownell,     | L. Kendrick, | Snell,          |
| Cameron,      | Lane,        | Stannard,       |
| B. Clark,     | Lovell,      | Stockbridge,    |
| Crane,        | Mandigo,     | Swift,          |
| Crossman,     | Mason,       | Thompson,       |
| Curry,        | McCowen,     | Vowles,         |
| Davis,        | Mead,        | Wagner,         |
| Eck,          | Miller,      | Walker,         |
| Elliott,      | Millington,  | Walton,         |
| Fancher,      | Mitchell,    | Ward,           |
| Fenner,       | Murray,      | Westover,       |
| Fuller,       | Norton,      | H. G. Williams, |
| Gifford,      | Osborn,      | J. A. Williams, |
| Goodrich,     | Plimpton,    | Yawkey,         |
| Grant,        | Putnam,      | Speaker, 72     |

## FOR CHARLES W. BUTLER.

|                   |                     |              |
|-------------------|---------------------|--------------|
| Mr. R. V. Briggs, | Mr. F. G. Kendrick, | Mr. Sheldon, |
| O. Clark,         | Klein,              | F. L. Smith, |
| Dusean,           | Purcell,            | Ternes,      |
| Eaton,            | Riopelle,           | Weier,       |
| Gay,              | Romeyn,             | 14           |

## FOR JAMES H. CUMMINGS.

|               |           |                 |
|---------------|-----------|-----------------|
| Mr. Cogshall, | Mr. Lee,  | Mr. Wendell,    |
| Harris,       | McKernan, | Wilcox,         |
| Kingsley,     | Stewart,  | W. D. Williams, |

9

The Speaker announced that Alfred Barlow, of Wayne county, having received a majority of all the votes cast, was duly elected Sergeant-at-Arms.

Mr. Plimpton offered the following:

*Resolved,* That the House now proceed to elect an Assistant Sergeant-at-Arms:

Mr. Ingersoll moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

Mr. Ashley moved that the House take an informal ballot for the office of Assistant Sergeant-at-Arms;

Which motion did not prevail.

The House then proceeded to the election of Assistant Sergeant-at Arms, with the following result:

FOR HENRY H. SEAVER.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Ashley,   | Mr. Holt,   | Mr. Riford,     |
| Avery,        | Hunt,       | Rowlson,        |
| Baxter,       | Hurlburt,   | Seward,         |
| Beall,        | Hutchinson, | Shaw,           |
| Blake,        | Jewell,     | Shier,          |
| Bostwick,     | Lovell,     | R. B. Smith,    |
| G. G. Briggs, | Mandigo,    | Stannard,       |
| Cameron,      | Mason,      | Stewart,        |
| B. Clarke,    | McCowen,    | Stockbridge,    |
| Crane,        | McKernan,   | Thompson,       |
| Crossman,     | Miles,      | Vowles,         |
| Davis,        | Miller,     | Wagner,         |
| Eck,          | Millington, | Walker,         |
| Elliott,      | Murray,     | Walton,         |
| Fenner,       | Norton,     | Ward,           |
| Fuller,       | Osborn,     | H. G. Williams, |
| Gifford,      | Plimpton,   | J. A. Williams, |
| Grant,        | Putnam,     | 53              |

FOR JAMES H. CUMMINGS.

|                   |                     |                 |
|-------------------|---------------------|-----------------|
| Mr. R. V. Briggs, | Mr. F. G. Kendrick, | Mr. Sheldon,    |
| O. Clark,         | Kingsley,           | F. L. Smith,    |
| Cogshall,         | Klein,              | Ternes,         |
| Dusseau,          | Lee,                | Weier,          |
| Eaton,            | Purcell,            | Wendell,        |
| Gay,              | Riopelle,           | Wilcox,         |
| Harris,           | Romeyn,             | W. D. Williams, |
| Hubbard,          |                     | 22              |

FOR W. D. BURDICK.

|              |           |               |
|--------------|-----------|---------------|
| Mr. Barnaby, | Mr. Lane, | Mr. Westover, |
| Curry,       | Mitchell, | Yawkey,       |
| Fancher,     | Snell,    | Speaker,      |
| Huston,      |           |               |



## FOR JOHN SWIFT.

|               |           |             |   |
|---------------|-----------|-------------|---|
| Mr. Brownell, | Mr. Mead, | Mr. Sickle, |   |
| Goodrich,     | Sanford,  | Slayton,    |   |
| L. Kendrick,  |           |             | 7 |

## FOR G. C. LAMB.

|              |             |   |
|--------------|-------------|---|
| Mr. Boynton, | Mr. Huston, | 2 |
|--------------|-------------|---|

## FOR DON C. HENDERSON.

|                |   |
|----------------|---|
| Mr. Ingersoll. | 1 |
|----------------|---|

## FOR O. OWEN.

|             |   |
|-------------|---|
| Mr. Horton, | 1 |
|-------------|---|

The Speaker announced that Henry H. Seaver, of Lehiawee county, having received a majority of all the votes cast, was duly elected to the office of Assistant Sergeant-at-Arms.

On motion of Mr. Wilcox,

The oath of office was administered to the Chief Clerk, Engraving and Enrolling Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms, elect, and the several officers named entered upon the discharge of their duties.

## MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring,) That the joint rules of the Senate and House of Representatives, in joint convention, of the last Legislature, be and they are hereby adopted, as the rules of the present Senate and House, until otherwise ordered;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Yawkey,

The House concurred in the adoption of the resolution.

Mr. Ingersoll offered the following:

*Resolved*, (the Senate concurring,) That a committee of two be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait on the retiring and acting Governors, and inform them that the two Houses are now organized, and ready to receive any communication they may be pleased to make.

On motion of Mr. Ingersoll,

The rule requiring concurrent resolutions to lie on the table for one day, was suspended, and the resolution adopted.

The Speaker appointed Messrs. Ingersoll and McKernan as such committee.

Mr. Grant offered the following:

*Resolved*, (the Senate concurring,) That John Maine, of Barry county, be and is hereby appointed postmaster of the Senate and House, to distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day.

Laid on the table for one day, under the rules.

Mr. Dusseau offered the following:

*Resolved*, That the Clerk of this House be instructed to furnish each member with a copy of the Manual of the last session of the Legislature;

Which was adopted.

Mr. G. G. Briggs offered the following :

*Resolved*, That the Clerk is hereby authorized and directed to procure 1,000 copies of the Journal, to be equally distributed among the members and officers of this House;

Which was adopted.

Mr. Sanford moved that a committee of three be appointed to wait on the Senate, and inform that body that the House was organized, and ready to proceed to business;

Which motion prevailed.

The Speaker appointed as such committee Messrs. Sanford, Holt and Dusseau.

Mr. Miles offered the following :

*Resolved*, That the daily sessions of this House shall commence hereafter at the hour of 9 o'clock A. M., until otherwise ordered.

Mr. R. B. Smith moved to amend by making the hour 9½ o'clock.

Mr. Yawkey moved to amend by making the hour 10 o'clock.  
Which amendment was accepted.

The resolution as amended, was then adopted.

Mr. Shier offered the following:

*Resolved*, That the Speaker be and he is hereby authorized to appoint a person to take charge of the cloak room.

Mr. Holt offered the following substitute for the resolution:

*Resolved*, That John Raynor, of Muskegon, be and is hereby appointed keeper of the cloak room during the present session of the House, at a per diem of two and 50-100 dollars per day.

Mr. Huston moved to amend by substituting the name of "W. D. Burdick," for that of "John Raynor;"

Which motion did not prevail.

The vote recurring on the substitute, it was not adopted.

The original resolution was then adopted.

Mr. Swift offered the following:

*Resolved*, That the Speaker be and is hereby authorized to appoint eight messenger boys, at a per diem of \$2.

Mr. G. G. Briggs moved to amend, by striking out "eight," and inserting "six," in lieu thereof.

Mr. Crossman offered the following as a substitute for the resolution:

*Resolved*, That the Speaker of this House be and he is hereby authorized to appoint six messenger boys for the House at large, and one special messenger for the Speaker, and that the Clerk be also authorized to appoint a special messenger, all at a compensation to be hereafter established.

Mr. G. G. Briggs withdrew his amendment.

The substitute was then accepted.

Mr. Ingersoll moved to amend by fixing the pay of the messengers at \$2 per diem, while in actual attendance.

Mr. Mason moved to amend by fixing the per diem pay at \$2 50, instead of \$2;

Which motion did not prevail.

The amendment of Mr. Ingersoll was then agreed to.

The resolution, as amended, was then adopted.

Mr. Baxter offered the following:

*Resolved*, That a committee of three be appointed to wait upon the resident Clergy of Lansing, and invite them to officiate successively as Chaplains of the House during its session;

Which was adopted.

The Speaker appointed as such committee Messrs. Baxter, Swift and Wendell.

Mr. Horton offered the following:

*Resolved*, That the Speaker be and hereby is authorized to appoint a fireman and assistant fireman;

Which was adopted.

Mr. Mason moved that the House do now adjourn;

Which motion did not prevail.

The committee appointed to wait on the Senate, and inform that body that the House was organized and ready to proceed to business, reported that they had performed that duty, and asked to be discharged.

The report was accepted, and the committee discharged.

Mr. G. G. Briggs offered the following:

*Resolved*, That the Clerk of this House be and he is hereby authorized to appoint two assistants;

Which was adopted.

#### MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 6, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate (the House concurring,) That the State Printer be instructed to transmit to each newspaper in the State, and to the State officers, Supreme and Circuit Court Judges, and to the clerks of the several counties in the State, one copy each of the Journal of the Senate and of the House of Representatives, during the present session;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Ingersoll,

The House concurred in the adoption of the resolution.

Mr. Sanford presented the memorial of Hon. C. C. Dewey, claiming the seat now occupied by Hon. John H. Hubbard, of Jackson county.

On motion of Mr. Sanford,

The memorial was laid on the table.

On motion of Mr. Dusseau,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Thursday, January 7, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Banwell.

Roll called: quorum present.

Absent at roll-call, Messrs. Blake, Crossman, Mandigo, McCowen, Shier and Stannard.

Mr. Osborn asked and obtained leave of absence for Mr. Crossman, on account of sickness.

Mr. Swift asked and obtained leave of absence for Mr. Shier, on account of sickness.

Mr. R. B. Smith asked and obtained leave of absence for Mr. Stannard, on account of sickness.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 7, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed James H. Stone, of Kalamazoo, Assistant Clerk, pursuant to a resolution of the House.

N. B. JONES,  
*Clerk.*

The oath of office was then administered to the Assistant Clerk, and he entered upon the discharge of his duties.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved,* (the House concurring,) That the State Printer be instructed to transmit to the resident clergymen of the city of Lansing, one copy each of the journal of the Senate and House of Representatives, during the present session;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. Yawkey,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved,* (The Senate concurring,) That a committee of two be appointed on the part of the House, to act with a like com-

mittee on the part of Senate, to wait on the retiring and acting Governors, and inform them that the two Houses are now organized, and ready to receive any communication they may be pleased to make;

In the passage of which the Senate has concurred.

I am also directed to inform the House that Senators Boies and Mason have been appointed as such committee on the part of the Senate.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 7, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the Senate and House of Representatives meet in joint convention, in Representative Hall, to-day, at 10½ o'clock, to hear the message of the retiring Governor;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. McKernan,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 7, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate (the House concurring,) That the

two Houses meet in joint convention, to hear his Excellency the incoming Governor's message, this P. M. at 2½ o'clock;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Mason,

The House concurred in the adoption of the resolution.

The committee appointed to act with a like committee on the part of the Senate, to wait on the retiring and acting Governors, and inform them that the two Houses are now organized, and ready to receive any communication they may be pleased to make, reported that they had performed the duty assigned them, and that the retiring Governor, through his private secretary, had signified his readiness to communicate to the Senate and House in joint convention, at 10½ o'clock this morning, and that the incoming Governor had signified his readiness to meet the Senate and House in joint convention at 2½ o'clock this afternoon.

Report accepted and committee discharged.

#### INTRODUCTION OF BILLS.

Mr. W. D. Williams, unanimous consent being given, introduced

A bill for the approval of the official bonds of certain county officers, in the counties comprising the twelfth judicial circuit.

The bill was read a first and second time by its title, and,

On motion of Mr. Williams,

The bill was referred to a special committee of three.

The Speaker announced as such committee, Messrs. W. D. Williams, McKernan and Wendell.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Holt offered the following:

*Resolved*, (the Senate concurring,) That Seward G. Jones, of Ingham county, be and he is hereby appointed Postmaster



of the Legislature, during the present session thereof, and that he receive a compensation of three dollars per day therefor.

Laid on the table for one day, under the rules.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved*, (the Senate concurring,) That John Maine, of Barry county, be and is hereby appointed Postmaster of the Senate and House, to distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day.

Mr. Mead moved to amend the resolution by striking out "John Maine, of Barry county," and inserting in lieu thereof "Seward G. Jones, of Ingham county;"

Pending which,

The Speaker announced that the hour of 10½ o'clock had arrived, the time fixed for the joint convention to receive the message of the retiring Governor.

Mr. Ingersoll moved that a committee of two be appointed to wait on the Senate, and inform that body that the House is ready to meet them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs. Ingersoll and Romeyn as such committee.

After a short absence, the committee reported that they had performed the duty assigned them.

Report accepted and committee discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The Joint Convention was called to order by Hon. Morgan Bates, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the members were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced that the Joint Con-

vention had assembled for the purpose of receiving the message of His Excellency the retiring Governor.

The message, owing to the indisposition of the Governor, was read by the Governor's Private Secretary, Thomas J. Cobb, Esq.

The Governor, through his Private Secretary, also submitted two messages in writing, enumerating the pardons granted by him during the four years of his administration.

After which,

On motion of Representative Ingersoll,

The Joint Convention adjourned *sine die*.

HENRY S. SLEEPER,

*Secretary of the Senate,*

N. B. JONES,

*Clerk of the House of Representatives,  
and Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

The question recurring upon the motion of Mr. Mead to amend the following resolution:

*Resolved*, (the Senate concurring,) That John Maine, of Barry county, be and he is hereby appointed postmaster of the Senate and House, to distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day,

By striking out "John Maine, of Barry county," and inserting in lieu thereof, "Seward G. Jones, of Ingham county;"

The motion did not prevail.

The question then being on the adoption of the resolution, it was adopted.

Mr. Ingersoll moved that the Judges of the Supreme Court, and the State officers, be invited to occupy seats in the hall of the House, during the delivery of the Governor's message this afternoon;

Which motion prevailed.

On motion of Mr. Yawkey,

The House took a recess until 2 o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced the following appointments:

*Messengers*—Preston Alexander, of Wayne; John A. Hopkins, of Macomb; Frank Plimpton, of Berrien; Bryant E. Avery, of Montcalm; Frank Carver, of St. Clair; Jay Stannard, of Ionia.

*Special Messenger for the Speaker*—Henry Boothroyd, of Ingham.

*Fireman*—W. D. Burnham.

*Assistant-Fireman*—Moses Harris.

*Keeper of Cloak-Room*—John Hunt, of Van Buren.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 7, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following entitled joint resolutions:

Joint resolutions asking the Congress of the United States to pass the tariff bill now pending in the Senate, for the relief of copper mining;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolutions were read a first and second time by their title, and

On motion of Mr. McKernan,

The rules were suspended and the joint resolutions put on their final passage.

The joint resolutions were then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Riopelle,   |
| Avery         | Holt,           | Romeyn,         |
| Barnaby,      | Horton,         | Rowson,         |
| Baxter,       | Hubbard,        | Seward,         |
| Beall,        | Hunt,           | Shaw,           |
| Blake,        | Hurlburt,       | Sheldon,        |
| Bostwick,     | Huston,         | Sickels,        |
| Boynton,      | Hutchinson,     | Slayton,        |
| G. G. Briggs, | Ingersoll,      | F. L. Smith,    |
| R. V. Briggs, | Jewell,         | R. B. Smith,    |
| Brownell,     | L. Kendrick,    | Snell,          |
| Cameron,      | F. G. Kendrick, | Stewart,        |
| B. Clark,     | Kingsley,       | Stockbridge,    |
| O. Clark,     | Klein,          | Swift,          |
| Cogshall,     | Lane,           | Ternes,         |
| Crane,        | Lee,            | Thompson,       |
| Curry,        | Mandigo,        | Vowles,         |
| Davis,        | McCowen,        | Wagner,         |
| Dusseau,      | McKernan,       | Walker,         |
| Eaton,        | Miles,          | Walton,         |
| Eck,          | Miller,         | Ward,           |
| Elliott,      | Millington,     | Weier,          |
| Fancher,      | Mitchell,       | Wendell,        |
| Fenner,       | Murray,         | Wilcox,         |
| Fuller,       | Norton,         | H. G. Williams, |
| Gay,          | Osborn,         | J. A. Williams, |
| Gifford,      | Plimpton,       | W. D. Williams, |
| Goodrich,     | Prell,          | Yawkey,         |
| Grant,        | Putnam,         | Speaker,        |
| Harris,       | Riford,         |                 |
|               | NAYS.           | 89              |
|               |                 | 0               |

Title and preamble agreed to.

The Speaker announced that the hour of 2½ o'clock had arrived, the time fixed for the meeting of the joint convention to receive the message of the incoming Governor.

Mr. Cogshall moved that a committee of three be appointed

to wait on the Senate and inform that body that the House is ready to receive them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs. Cogahall, R. B. Smith and Kingaley as such committee.

After a short absence, the committee reported that they had performed the duty assigned them, and were discharged.

Mr. Baxter moved that a committee of three be appointed to wait on the Judges of the Supreme Court and the State officers, and inform them that the hour had arrived for the assembling of the joint convention;

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Baxter, Lovell and McKernan.

After a short absence, the committee reported that they had performed the duty assigned them, and were discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. Morgan Bates, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the Senators were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced that the joint convention had assembled for the purpose of receiving the message of his Excellency Governor Henry P. Baldwin.

Representative Mead moved that a committee of three be appointed to wait on His Excellency the Governor, and inform him that the Senate and House were assembled in joint convention, and were ready to receive any communication which he might be pleased to make;

Which motion prevailed.

The President announced as such committee, Representatives Mead, Purcell, and Senator Peirce.

After a short absence, the committee reported that they had performed the duty assigned them, and announced His Excellency Governor Baldwin, in attendance.

His Excellency Governor Henry P. Baldwin, then delivered his message in person;

After which,

On motion of Senator Warner,

The joint convention adjourned *sine die*.

HENRY S. SLEEPER,

*Secretary of the Senate,*

N. B. JONES,

*Clerk of the House of Representatives,*

*and Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

Mr. Ingersoll moved that the House adjourn;

Which motion was withdrawn.

By unanimous consent, the special committee to whom was referred House manuscript bill, entitled

A bill for the approval of the official bonds of certain county officers in the counties comprising the twelfth judicial circuit,

Respectfully report that they have had the same under consideration, and report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. D. WILLIAMS,

J. A. T. WENDELL,

J. Q. McKERNAN,

*Committee.*

Mr. W. D. Williams moved that the rules be suspended, and the bill be put upon its immediate passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ahley,    | Mr. Horton,     | Mr. Romeyn,     |
| Avery,        | Hubbard,        | Rowlson,        |
| Barnaby,      | Hunt,           | Sanford         |
| Baxter,       | Hurlburt,       | Seward,         |
| Beall,        | Huston,         | Shaw,           |
| Blake,        | Hutchinson,     | Sheldon,        |
| Bostwick,     | Ingersoll,      | Sickels,        |
| Boynton,      | Jewell,         | Slayton,        |
| G. G. Briggs, | L. Kendrick,    | F. L. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| Brownell,     | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Curry,        | Mason,          | Vowles,         |
| Davis,        | McCowen,        | Wagner,         |
| Dusseau,      | Mead,           | Walker,         |
| Eaton,        | Miles,          | Walton,         |
| Eck,          | Miller,         | Ward,           |
| Elliott,      | Millington,     | Weier,          |
| Fancher,      | Mitchell,       | Wendell,        |
| Fenner,       | Murray,         | Westover,       |
| Fuller,       | Norton,         | Wilcox,         |
| Gay,          | Osborn,         | H. G. Williams, |
| Gifford,      | Plimpton,       | J. A. Williams, |
| Goodrich,     | Purcell,        | W. D. Williams, |
| Grant,        | Putnam,         | Yawkey,         |
| Harris,       | Riford,         | Speaker,        |
| Hartson,      | Riopelle,       | 92              |
|               | NAYS.           | 0               |

Title agreed to.

On motion of Mr. W. D. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Ingersoll,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Friday, January 8, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Baldwin.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

Mr. Holt presented the memorial of Wm. L. Stoughton.

On motion of Mr. Holt,

The memorial was laid on the table and ordered printed in the journal.

The following is the memorial:

*To the Honorable Legislature of the State of Michigan :*

The undersigned respectfully asks leave to submit the following statement:

The reference of the retiring Governor, Hon. H. H. Crapo, to the case of *The State, complainant, vs. Dewey, Hazelton et al.*, in his annual message, seems to be based upon a misconception of the history and facts relating to that case.

Without entering into any extended discussion, I beg leave to state, as a matter of justice, that this case was never in my hands, as Attorney General, and that any attention which I might have given to said case would have been wholly unofficial.

The following extract from the official report of Hon. Albert Williams, my predecessor in office, for the year 1866, will be conclusive on this point. On page eight of this report, Mr. Williams says: "Mention is made on page 18 of my annual report for last year, of the case of *The State, complainant, vs. Dewey, Hazelton et al.*, defendants, still pending in the county of Genesee, in chancery, and to which your notice is likewise called. For the reasons therein stated, which have applied with equal force throughout the present year, as also for those given in the above mentioned Cushman case, so-called, *this case, early last summer, was put into the charge of the Prosecuting Attorney of Genesee county, who still has control of it.*"



In addition to this, it is only necessary for me to refer to the Compiled Laws, Sec. 393, which provides that "the prosecuting attorneys shall, in their respective counties, appear for the State or county, and prosecute and defend in all the courts of the county, all prosecutions, suits, applications, and motions, whether civil or criminal, in which the State or county may be a party, or interested."

Such was the condition of the case when I came into office, and I respectfully submit that it was not my duty, and that I had no power to move in the matter.

I was not the attorney of record, and any notice given by me to the opposite party might have been disregarded.

WM. L. STOUGHTON.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, January 7, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the committees on printing of the Senate and House of Representatives, be and they are hereby instructed to prepare and cause to be published, for the use of the members and officers of both Houses of this and the next Legislature, a Manual, containing the rules of the Senate and House of Representatives, joint rules, Constitutions of the United States and of this State, diagram of the Senate Chamber and Representative Hall, names and domicile in this city of the members of both Houses, and such other statistical matter as is usually contained in such a work;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Ingersoll,

The House concurred in the adoption of the resolution.

NOTICES.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A joint resolution asking the Congress of the United States for an appropriation in money, to deepen the St. Mary's Falls Ship Canal.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to facilitate getting out logs and timber, from timber lands in this State.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Hastings.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill to provide for the construction and management of water works in the village of Marquette.

MOTIONS AND RESOLUTIONS.

Mr. Ingersoll offered the following:

*Resolved*, That a special committee of five be appointed to designate and recommend a reference to the proper standing committees, of the subjects embraced in the messages of the retiring and the acting Governors;

Which was adopted.

Mr. Dusseau offered the following:

*Resolved*, That the Members of the House furnish the State Printer the names of all the papers published in their respective districts, and the places of their location, to enable him to comply with the resolution heretofore adopted;

Which was adopted.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved*, (the Senate concurring,) That Seward G. Jones, of Ingham county, be and he is hereby appointed postmaster of

the Legislature, during the present session thereof, and that he receive a compensation of three dollars per day therefor.

On motion of Mr. Holt,

The resolution was laid on the table.

By unanimous consent, Mr. Ingersoll offered the following:

*Resolved*, That the messages of the retiring and incoming Governors be printed in the journal.

Mr. Slayton moved to amend, by including the accompanying documents;

Which amendment was accepted.

The resolution, as amended, was then adopted.

The following is the message of the retiring Governor:

*Gentlemen of the Senate and House of Representatives:*

In accordance with constitutional requirement, at the close of my official term, I now submit to the Legislature, "information by message, of the condition of the State, and recommend such measures as I deem expedient."

The infirm condition of my health imperatively forbids my communicating with you in person, and I am compelled, for the same reason, to refer more briefly than I desire, to those questions of State interest to which I would call your attention. I yield to this necessity with less reluctance, from the consciousness that my successor in office, in whose wisdom, ability and discernment I have full confidence, and who is held in such high esteem by our fellow citizens, will present in his Inaugural Message his views and recommendations for the consideration of the Legislature, with a completeness which will render the performance of my closing duty less important.

In this last official act as your Chief Executive, I congratulate you upon the highly prosperous and happy condition of the people of our State. When I assumed my office the Nation was at war. The issue of that war was not doubtful, for every loyal heart had faith in the triumph of the right; but there were embarrassments, uncertainties and perplexities attending the adjustment of our National affairs, and in providing for the burdens and indebtedness which war had

entailed upon us. To-day we are at peace; the integrity of the Union has been secured, and Freedom guaranteed to all in the land. We have cause for heartfelt gratitude to God for the increasing blessings of peace, for the sufficiency of the harvests, for the rewards of labor, and for the moral, intellectual and material advancement of the people. Steadily we have grown and prospered, and now enjoy the position and advantages of the most favored States.

#### FINANCES.

No part of the administration of the State Government is more important than the management of its finances. The collection of the revenue, the appropriation of moneys, the judicious and economical expenditure, and the safe custody of the public funds, should always be matters of solicitude with those in authority.

It gives me great pleasure in being able to state that the financial affairs of the State are in a highly prosperous condition. At no time in its history has its credit stood higher, or its exhibit appeared more satisfactory in this regard, than to-day. The sagacity, prudence and economy, which have marked the management of the funds of the State, during the last four years, is deserving of commendation; and the success which has attended the reduction of the public debt since the close of the civil war, and the very large balance now in the Treasury [\$1,130,229 67], attest the wisdom of the Legislature, and the high ability and strict faithfulness of those, who as State Treasurers, have had the custody of the public funds.

The condition of our finances, and the receipts and disbursements of the State Treasury, for the fiscal year ending Nov. 30, 1868, as appears from the Treasurer's account, are as follows:

The amount received into the State Treasury, and which was derived from the following sources, is \$2,804,741 48:

|  |    |           |    |
|--|----|-----------|----|
| Balance of cash in the Treasury, Nov. 30, 1867.. | \$ | 582,113   | 96 |
| Received on account of General Fund,.....        |    | 1,347,521 | 51 |
| “ “ Primary School Fund,...                      |    | 115,886   | 68 |

|  |                       |
|--|-----------------------|
| Received on account of Prim. Sch'l Int. Fund,    | \$ 54,000 70          |
| " " Swamp Land "                                 | 425,324 81            |
| " " " Int. "                                     | 6,079 06              |
| " " University "                                 | 7,114 97              |
| " " " Interest Fund,                             | 10,369 45             |
| " " Normal School, "                             | 760 00                |
| " " " Int. "                                     | 1,887 28              |
| " " Asylum "                                     | 3,548 03              |
| " " State Building "                             | 418 99                |
| " " Agricultural College "                       | 2,300 00              |
| " " Internal Improv't "                          | 11,433 26             |
| " " War "  | 25,000 00             |
| " " Sault Ste. Marie Canal                       |                       |
| Fund, .....                                      | 14,449 67             |
| Received on account of War Loan Sinking Fund,    | 188,900 85            |
| " " Two Million Loan Sinking                     |                       |
| Fund, .....                                      | 218 75                |
| Received on account of Light-house deposit, .... | 15 00                 |
| " " Suspense account, .....                      | 7,903 48              |
| Total receipts, .....                            | <u>\$2,804,741 43</u> |

The following are the payments from the Treasury, amounting in the aggregate to \$1,674,511 76:

|  |              |
|--|--------------|
| Paid on account of General Fund, ..... | \$510,832 65 |
| " " Primary School Fund, .....         | 3,308 90     |
| " " " Int. " .....                     | 153,296 70   |
| " " Swamp Land " .....                 | 362,818 33   |
| " " " Int. " .....                     | 401 99       |
| " " University " " .....               | 39,849 96    |
| " " Normal School Int. " .....         | 13,515 00    |
| " " Asylum " " .....                   | 148,626 00   |
| " " State Building " .....             | 2 25         |
| " " Internal Improv't " .....          | 40,964 21    |
| " " War " .....                        | 127,726 25   |

|  |                       |
|--|-----------------------|
| Received on account of War Loan Sinking Fund,      | \$43,500 00           |
| "        "    Two Million Loan Sinking Fund, ..... | 198,000 00            |
| Paid on account of Sault Ste. Marie Canal Fund,    | 21,774 52             |
| "        "    Military                    "        | 7,000 00              |
| "        "    Soldiers' Home              "        | 3,000 00              |
| Total payments, .....                              | \$1,674,511 76        |
| Leaving a balance in the Treasury, Nov. 30, 1868,  | 1,130,229 67          |
|  | <u>\$2,804,741 43</u> |

## TRUST FUND DEBT.

The following items constitute this debt, to wit:

|   |                       |
|---|-----------------------|
| Primary School Fund, .....              | \$1,493,243 80        |
| Normal " " .....                        | 44,461 95             |
| Railroad Deposits, .....                | 2,157 32              |
| Light-house Deposit, .....              | 15 00                 |
| Five ½ Cent. Primary School Fund, ..... | 185,600 00            |
| University Fund, .....                  | 305,962 56            |
|   | <u>\$2,031,440 63</u> |

## STATE DEBT.

The present condition of our State debt, both funded and fundable, is made up as follows, and amounts to \$3,614,078 49:

|   |              |
|---|--------------|
| Sault Canal Bonds, 6's, due July 1st, 1879, ..... | \$ 86,000 00 |
| Renewal Loan " 6's, " " 1878, .....               | 200,000 00   |
| Two Million Loan Bonds, 6's, due Jan'y 1st, 1873, | 497,000 00   |
| "        "        " 6's, " " 1878,                | 494,000 00   |
| "        "        " 6's, " " 1883,                | 750,000 00   |
| War " " 7's, " " 1886,                            | 1,081,500 00 |
| War Bounty " " 7's, " May 1st, 1890,              | 463,000 00   |
| Adjusted Bonds, past due, .....                   | 3,000 00     |
| Full-paid Five Million Loan Bonds, past due, .... | 3,000 00     |
| War Loan Bonds, .....                             | 600 00       |

|  |                       |
|--|-----------------------|
| Two Million Loan Bonds, due Jan'y 1, 1868, ....                      | \$3,000 00            |
| \$57,000 Unrecognized Five Million Loan Bonds,<br>adjustable at..... | 32,978 49             |
| Total bonded debt, Nov. 30, 1868, .....                              | <u>\$3,614,078 49</u> |

## SINKING FUNDS.

During the past fiscal year the following sums have been set apart for the several Sinking Funds, amounting to \$380,774 95:

|  |                     |
|--|---------------------|
| War Loan Sinking Fund, 1-16 mill tax, .....  | \$19,247 87         |
| “ “ “ from surplus of taxes<br>levied for interest, ....                             | 11,274 50           |
| Two Million Loan Sinking Fund, $\frac{1}{2}$ mill tax, ....                          | 38,495 73           |
| “ “ “ “ for discount on<br>bonds purchased,.....                                     | 218 75              |
| Primary School Fund receipts from July 1, 1867,<br>to July 1, 1868,.....             | 92,650 60           |
| Five ¢ cent Primary School Fund receipts from<br>July 1, 1867, to July 1, 1868,..... | 13,936 45           |
| University Fund receipts from July 1, 1867, to<br>July 1, 1868,.....                 | 14,326 80           |
| Normal School Fund receipts from July 1, 1867,<br>to July 1, 1868,.....              | 1,728 40            |
| U. S. Treasurer, war expenses refunded,.....   | 188,900 85          |
| Total amount,.....   | <u>\$380,774 95</u> |

You will perceive by the Treasurer's Report, that he has very wisely and judiciously invested a portion of our surplus funds in purchasing and retiring certain bonds, as far as he was enabled to do so, upon terms which he deemed advisable. To accomplish this, however, in the precise mode desired, proved much more difficult than was anticipated, in consequence of the advance of our State securities in market value.

The Treasurer's Report also shows, that our claim upon the General Government for expenditures incurred by this

State, on account of the late Rebellion, has been adjusted and settled, and the sum of \$188,900 85 collected as the amount due us.

A settlement has also been effected with the Land Office at Washington, of our claim, which has remained unadjusted for a long period, for Swamp Lands sold by the General Government, at the several Land Offices in this State, after they had been ceded to us by Act of Congress—whereby we have been permitted to select from the unsold Government Lands, 19,349.87 acres, for which patents will very soon be received; we have also received in cash on the same account, \$10,475 82.

It will be further perceived by said report that from the very prosperous condition in which our State finances now are, with abundant means to meet all future liabilities, the Treasurer is enabled to recommend a diminution of our State tax for general purposes for the next two years. In regard to the very large balance of cash now in the Treasury (\$1,130,229 67), I most heartily concur in this recommendation.

It should be constantly borne in mind that the people have been, for the last few years, as a consequence of the late war, subjected to very heavy taxation; and, although they have borne this burden cheerfully, yet at this very critical period in the history of our country with regard to financial matters, those to whom are committed the appropriation of the public funds, should constantly bear in mind the more than probable future depreciation of values of every species of property, at a time when it may be exceedingly difficult to pay even a greatly reduced rate of taxation. This very large balance in the Treasury should not, therefore, be used for any other purpose than that of either anticipating the payment of our State debt, or for the reduction of taxation.

In view of the resumption of specie payments sooner or later, which can hardly fail to bring with it financial embarrassments, for a time at least, I would most earnestly recommend that all appropriations for general purposes, except such as are required for the support of the State Government, or for that of our va-



rious State Institutions, which must be maintained, should be made with great prudence, and all our resources husbanded with the strictest economy.

The diminution of our State debt since my last regular message is \$365,842 76.

#### SOLDIERS' RELIEF FUND.

As appears by my last message, the balance unexpended of the Soldiers' Relief Fund, was.... \$10,907 61

Being authorized by an Act of the Legislature, passed March 26, 1867, to pay from said fund the expenses of such Commissioners as I should appoint under said Act, to be denominated the "Soldiers' Permanent Home Commission," I have accordingly paid therefrom, on account of such expenses,... \$158 30

Also, for the relief of sick, disabled and needy soldiers, in accordance with provisions of Act No. 31, 1863,..... 149 41

Total amount expended,..... 307 71

Balance,..... \$9,999 90

Consequently there remains on hand of this fund the sum of nine thousand nine hundred and ninety nine and 90-100 dollars, which will be found undrawn by me from the Treasury.

It is proper, however, I should state, that the members of the Commission have an account for expenses incurred by them in the discharge of their respective duties, during the current year, which was not presented to me for payment in time to be included in this account; and which must be paid them hereafter from this fund.

I am also advised, by the Quarter Master General, that he has claims for indebtedness, to the amount of \$560 12, advanced by him for transportation and other aid to needy and destitute soldiers, also to be paid from this fund; but the fact

was not communicated to me in time to be included in my account.

#### WAGON ROADS.

The Wagon Roads, for military and postal purposes—one from Saginaw City to the Straits of Mackinaw, and the other from Grand Rapids to the same point—for the location and construction of which, a grant of land was made by an Act of Congress, approved June 20, 1864, and accepted, &c., by an Act of the Legislature of this State, approved March 16, 1865, have never been built, as said grant of land has been found wholly inadequate for that purpose. These roads, if completed in a perfect and workmanlike manner, as contemplated by the aforesaid acts, could not fail to be of great value to the State, and especially so to the territory situated in the northerly part of the Lower Peninsula, as well as to that of a portion of the Lake Superior region.

I therefore suggest for your consideration, the propriety of some action whereby Congress may be induced to extend the time in which said roads shall be required to be completed, and to increase the appropriation sufficiently to secure their construction.

Nor will these roads be alone useful to the State of Michigan. They will also be of much value to the United States, and especially so, as affording increased facilities for the transmission of the mail, as well as of the necessary military forces in the event of hostilities on our Canadian frontier, and in various other ways.

In the absence of further legislation by Congress, the present grant will revert to the United States on the 20th of June next.

#### SEIZURE OF LAND FOR LIGHT-HOUSE PURPOSES.

By an act of the Legislature, approved March 27, 1867, the Governor, by three Commissioners, was authorized, in certain cases, to seize lands, and convey the same to the United States, for the erection and maintenance of light-houses thereon.

Under this law two parcels have been so seized and conveyed, to wit:

*First*—Granite Island, in Lake Superior, Marquette county, containing two and one-quarter acres.

*Second*—A tract containing about ten and one-quarter acres, at McGulpin's Point, on the shore of the Straits of Mackinac, in the county of Mackinac.

#### MILITARY.

Repeated applications have been made to me since the close of the war, for the formation of military companies; but owing to the want of means, and in the absence of the necessary appropriations for carrying out the present law, I have not favored the organization of such companies.

When the exposed position of our State is considered, together with the fact of an extensive frontier, bordering the territory of a nation with whom we have heretofore been at war, and very possibly may be again, and from whose dominion we are separated by the slightest natural barriers, I submit to your serious consideration whether the interest of the State does not demand that some efficient military organization should be maintained, not only for our defense from foreign aggression, but also for the maintenance of law, and to aid, if necessary, in the suppression of disorderly commotions or riotous proceedings, which may occur within our own borders.

The present system is, and I have no doubt will continue to be, a dead letter upon our statute book.

In view, therefore, of the importance of this subject, I would most respectfully submit to your wisdom and discernment, whether some system cannot be adopted, which will be practical in its operations, and adequate for any probable future emergency.

#### ANTIETAM NATIONAL CEMETERY.

The sum of \$4,000 was appropriated by an Act of the Legislature, approved Feb'y 19, 1867, for the purpose of paying the

proportion of this State, of the expenses of purchasing the grounds for and the preparation and care of the Antietam National Cemetery, at Sharpsburgh, Maryland, and for defraying the expenses of the Commissioner.

At the time this appropriation was made, the Legislature, I presume, supposed it was to be used in aiding the formation and establishment of a National Cemetery, to be, as in the case of the Gettysburg Cemetery, devoted in perpetuity for the purpose of the burial and final resting place of the remains of the Union soldiers, or loyal dead, who fell at the battle of Antietam, or at other points north of the Potomac river, during the invasion of Lee.

It since appears, however, that by the Act of Maryland, passed March 23, 1865, (upon the repeal of a previous Act), provision was made for the interment, in a part of said grounds, of the remains of Confederate soldiers; which provision was adopted by a resolution of the Board of Trustees, held on the 5th day of December, 1867, and a portion of said Cemetery formally designated for the burial of the Confederate dead.

It thus becomes not only a National Cemetery for the interment of those who fell in the defense of the Union, but also for those by whose hands they thus fell, in their attempts to destroy such Union. This fact had not come to my knowledge—at least I did not then apprehend it—at the time of my special message to the Legislature of 1867, bringing this subject to their notice and recommending the appropriation.

I cannot but consider the question of permitting the interment of the Confederate dead in our National Cemeteries, provided at the public expense for the resting place of our Union soldiers, as entitled to the most serious consideration.

For these reasons, and, also, because requisitions have not been made upon me from time to time—as in the case of Gettysburg—for our proportion of the work as it was completed; but as the whole appropriation was called for, without regard to what had been done, I have deemed it my duty to

retain the same in the State Treasury until you should have an opportunity to take such action thereon as you might deem expedient.

I am not alone in this view of the matter, as the appropriation of Pennsylvania, if not of some other States, has been withheld on the same grounds.

I trust, however, that whatever determination you may arrive at, my course may be regarded the safer one, as the money being still on hand can be paid over at once, should you deem such action advisable.

#### IMMIGRATION.

My views upon the subject of Immigration have been fully expressed in a previous message. They still continue unchanged; and I cannot but hope that some legislation will yet be had on this subject whereby a more rapid settlement of this State may be promoted. We have large quantities of wild lands of the best quality, which remain unsettled, whilst those of other States are fast being taken up and improved.

If proper attention could be directed to the advantages now offered by our State, the rapidity of its settlement, in my opinion, would be very greatly increased, and those extensive tracts in the northerly part of this Peninsula, now lying waste, would soon be under cultivation.

Considering the abundance and variety of the resources of Michigan, and the material and physical advantages which she offers to those whose limited means lead them to seek homes in an unsettled country, together with a ready market for all surplus products, no State in the Union presents greater inducements to the new settler.

The sum required for this object, if properly expended, would be small. I hope the subject may receive at your hands some consideration.

#### RECONVEYANCE OF LAND TO UNITED STATES.

Since the adjournment of the last Legislature, application has been made to me by the Hon. Jos. S. Wilson, Commis-

sioner of the General Land Office, Washington, D. C., to execute and return to that office a release of this State's claim to the East half of the North-East quarter of Section twenty-six, (26), township five (5) North, range two (2) West, containing eighty (80) acres, inadvertently, as he states, embraced in approved list number eleven (11) and Patent number twenty-two (22) of swamp and overflowed lands, in the district of Ionia.

Not feeling authorized by any law of the State to execute such release, I have not done so, and would now most respectfully refer the subject to the Legislature for such action as they may deem expedient and proper.

#### PORTAGE LAKE AND LAKE SUPERIOR SHIP CANAL.

Congress, by an Act approved March 3d, 1865, donated to this State, two hundred thousand acres of the public lands in the Upper Peninsula, to aid in the construction of the Portage Lake and Lake Superior Ship Canal.

This grant, with all its franchises, rights, powers and privileges, was, by an Act of the Legislature of this State, approved March 18th, 1865, conferred upon the "Portage Lake and Lake Superior Ship Canal Company," and by its provisions, the Executive was made the sole judge of the mode of construction, the materials to be used, &c.; in fact, to his discretion was referred everything pertaining thereto, excepting the width and depth of water therein, which are determined by the Act of Congress.

In accordance with this authority, I approved, on the 4th of October, 1867, such specifications and diagrams, (prepared by the engineer appointed by me for that purpose,) as I believed would secure the construction of a permanent work; which specifications and diagrams were duly filed in the several offices, as required by the aforesaid Act of March 18th, 1865.

Upon the presumption, however, that said grant of land was insufficient for the building of the Canal in a manner adequate for the purpose it was designed to fulfill, and upon an urgent application of the Company to Congress, supported by my

recommendation, that body, by an Act passed July 3d, 1866, made an additional grant of two hundred thousand acres of land in further aid of the object, which land, by an Act of the Legislature of this State, approved March 27th, 1867, was also virtually conferred upon said Company.

The Company have recently made a printed statement, by their General Superintendent, as to what progress has been made in the construction of the canal; but I have received no report whatever from the Engineer appointed to superintend the work. The President, however, writes me that "it is the intention of the Company to finish it in 1869."

Believing, as I do, that the early completion of this work, according to the plans and specifications approved by me, is of great importance to the interests of this State, especially to the Lake Superior region, and that the aforesaid grants are amply sufficient to compensate said Company for the proper construction of the canal, they should be held to the proper fulfillment of the contract on their part; and none of said lands, (most of which embraced in the last grant, being I believe, of much value,) should be conveyed to them until the work is completed and duly accepted.

Permit me to refer you to my last message on this subject.

#### REFORM SCHOOL.

The Reform School has come to be one of our most important State institutions, and I trust it will receive at your hands that liberal support which it deserves. Although there may be and undoubtedly are exceptional cases, yet I have no doubt that many boys who would otherwise be left to grow up in ignorance and crime, and become pests to society, will be there instructed and reformed, and in after life become useful and worthy citizens. If a few only of those unfortunate boys, who are left without parental control and abandoned to all the temptations of our larger villages and cities, could be there reclaimed, it would be worthy our greatest efforts; for not only should we thus save these juvenile offenders to themselves and their

friends, but thereby secure to the State in the future good citizens, instead of worthless and abandoned criminals.

#### AGRICULTURAL COLLEGE.

My ideas in regard to the future value and importance of the State Agricultural College are too well known, I trust, to the people of Michigan, to need a repetition here. But to realize the reasonable expectations of its friends, the Institution must receive the cordial support of those at least whom it is intended to benefit.

An enterprise of this kind, in its commencement, under however favorable circumstances it may be originated, must necessarily be destined to encounter many difficulties and drawbacks. But a steady, persistent course in this case, as in every other, will be certain to secure ultimate success. In fact, considering all the disadvantages under which its officers have been compelled to labor from its very beginning, I think we need not be dissatisfied with what it has already accomplished. It is intended to foster and promote the most important interest in our whole State—that of agriculture considered in its broadest and most comprehensive sense.

The lands donated by Congress for its support—240,000 acres—have been selected, and the "Agricultural Land Grant Board" have fixed its minimum price at five dollars per acre, and the same are now in market. The proceeds from this grant, in time, it is believed, will be amply sufficient to afford all the pecuniary aid it may require. But as only the interest can be used to aid the College, it must necessarily be some time before it can be expected to sustain itself. In the meantime, as a State Institution already established and worthy of support, it has a right to expect such pecuniary assistance as will enable its officers to manage its affairs without embarrassment, and to the best advantage. I trust the Institution will receive such aid at your hands.

For a detailed statement of the present condition and wants of the College, in all its departments, I refer you to the several reports of its officers.



## THE ASYLUMS.

These institutions not only claim, but should receive a liberal support, and appropriations should be freely made for their maintenance. However much it may be incumbent upon every department of the State Government to pursue a rigid economy in the administration of public affairs, yet with these no niggardly policy should be pursued.

But my own views upon this subject have been fully stated in my previous communications to the Legislature, and need not be repeated here. They are I believe in the hands of competent and faithful officers, devoted to their duties as a labor of love, rather than from any pecuniary considerations.

You will perceive by the very elaborate reports of the Teacher, Acting Commissioner, and Trustees of the "Michigan Institution for educating the Deaf and Dumb, and the Blind,"—to which I call your attention—that this Institution is in a prosperous condition. Good health has generally prevailed among the pupils, who are contented and happy, and their progress in learning is very decided and satisfactory.

From personal inspection, as well as from general observation, I do not hesitate to speak confidently of the very proper and successful manner in which this Institution is conducted, and of the efficiency and devotedness of its officers.

In addition to such appropriation as will be needed for an increase of teachers, to meet its ordinary and incidental expenses, and to finish such improvements, &c., as have already been commenced, the Trustees are desirous that such further sum may be provided as will be required to complete the front part of the main building, the room of which is now needed for the accommodation of the inmates. Without, however, making any specific recommendation, I refer the whole subject to your disposal, trusting that the just claims of this noble department of the educational institutions of Michigan will be fully recognized, and all its reasonable wants cheerfully met and promptly provided for.

The present condition, wants, &c., of the "Asylum for the Insane," you will find fully stated in the report of its officers, which I commend to your serious attention.

This Institution is also, I believe, fully accomplishing, under the management of its very able and efficient Superintendent, E. H. Van Deusen, aided by a Board of Trustees, whose efforts have been, as I doubt not, solely directed to the same end, the benevolent purpose for which it has been provided. The building of the north wing has been so far advanced that a portion of it was opened in May last for the accommodation of fifty patients, and was immediately filled. Another portion has just been completed; and the remainder, it is believed by the Superintendent, will be open before the adjournment of the present legislative session.

The number of patients remaining under treatment in the Asylum, Nov. 30, 1868, was 229, being an increase of 57 during the past year. The entire accommodations which will be afforded, upon the completion of the building, will undoubtedly be very soon thereafter filled.

In December of 1867, I visited the Asylum, and spent several days there, residing as an inmate of the Superintendent's family, with a view to satisfy myself in regard to the mode of keeping the books and accounts, and of disbursing the public moneys, as well as in respect to the general management of the Institution, the treatment of the patients, &c., &c.; and it is but justice for me to say, in behalf of a worthy and efficient officer, that I was exceedingly gratified with all I saw and learned.

The position of Superintendent is necessarily one of much care, perplexity and responsibility; but the inmates, excepting such as were necessarily—from their condition—confined to their rooms, appeared very cheerful, contented and happy.

I believe the Institution to be ably conducted; and under its present management, reflecting great credit upon our State; and I cannot but hope that we shall be enabled to avail our-

selves of Mr. Van Deusen's valuable services for many years to come.

For a detailed statement of the condition and wants of the Asylum, I refer you to the report of the Superintendent and Trustees, recommending that such appropriations be made as may be reasonably necessary to enable its officers so to manage its affairs as that it may realize the just expectations of those who so nobly provided, in the very infancy of our State, for the comfort and care, if not the ultimate cure, of those unfortunate ones, who from whatever cause, had become bereft of their reason.

#### STATE PRISON.

All things considered, this is one of the most difficult of our State Institutions to be properly and successfully conducted. The task of the Agent, as well as that of the Board of Inspectors, is truly an onerous one. Added to the difficulties of properly guarding and governing so very large a number of convicts, many of whom are of the most desperate character, is that of conducting the business affairs of the prison, connected as they are with a large number of labor contractors, who necessarily make it more particularly their business to look after their own interests than those of the Institution. And to this again may be added, the differences that too often arise between the Agent and those who enter into contracts to furnish supplies for the Prison; and especially so when that officer, in the faithful discharge of his duties, compels faithfulness on the part of such contractors. The Agent is also not exempt from frequent embarrassments, arising from discontent, engendered by his efforts to enforce strict fidelity to their duties on the part of his subordinates. And, I regret to say, that all the difficulties naturally incident to the situation, to which the Agent has been subjected in the proper management of the Prison, have been unjustly aggravated by certain persons in that vicinity, whose main purpose seems to have been to create all the trouble in their power for the Agent, and to destroy, if possible, the influence of that

officer for good. Whether the governing motive may have been a mistaken desire to serve the public interests; or merely to injure the Agent in gratification of some personal pique against him; or to subserve a purpose no less reprehensible—that of embarrassing, if not of destroying, the efforts of those who have charge of the Prison, and are laboring faithfully and devotedly to promote its best interests—the manner of its exercised, and the character of its influence were calculated not only to damage the Agent, but to ruin the discipline of the Institution.

But I am happy in being able to state that the efforts of those parties have, to a very great extent, failed in their apparent purpose; and that the affairs of the Prison, in all its departments, have steadily improved under the administration of the present Agent, and the very faithful and efficient Board of Inspectors, all of whom have devoted themselves most assiduously and with unwearied efforts, as well as much skill, to secure this result. In fact, the Prison has reached, under its present management, a point rarely attained by any State Penitentiary. Its monthly receipts are exceeding its expenditures, and it has now become a paying Institution. For a detailed statement of its affairs, I must refer you to the very full and elaborate reports of the Agent, and of the Board of Inspectors, a careful perusal of which I think cannot fail to convince any one that these officers have made the interests of the Prison their study, and that they understand fully its wants. I therefore most earnestly commend their suggestions and recommendations to your favorable consideration, hoping you may deem it compatible with the interests both of the Prison and the State, to make the appropriations they deem expedient.

The affairs of the Prison, in all its departments, are now prosperous and flourishing, as much so as can certainly be expected in the present condition of the Prison proper, which, it may be anticipated, will very soon require outlays to meet the wants of the rapidly increasing number of convicts—amounting at the close of the present fiscal year, to 622; being an increase of 120 since

my last message, and of 330 since November, 1864. This certainly shows a frightful increase of crime within our State; but the reflection to a citizen of Michigan, in view of this fact, is less painful when it is understood that a very large percentage indeed of the whole number come from abroad.

Although the appropriation necessary for the proper custody and adequate support of those lawless persons, whose crimes compel us, for the protection of life and property, to restrain them of their liberty for a time at least—as well as for all the incidental expenses connected therewith, may seem large, yet as it is the legitimate consequence of an unavoidable necessity, it should be met promptly and cheerfully.

Again let me say, that I believe the Agent of the Prison has worked faithfully as well as successfully in the discharge of his complex duties, and for the sole purpose of doing that which would best promote the interests of the important charge committed to his care. The Inspectors also have been no less indefatigable in their efforts to secure the greatest possible improvement in all departments of the Prison; and very much is due them for the constancy and zeal with which they have labored to that end. In confirmation of this I need only cite you to the very marked and decided advancement in the present condition and future prospects of every department of the Institution.

The policy adopted by me in reference to pardons, at the commencement of my administration, has been strictly adhered to.

The whole number of convicts in the State Prison, who have been pardoned, and thereby become the recipients of the Executive clemency, are as follows:

|              |           |
|--------------|-----------|
| 1865,.....   | 5         |
| 1866,.....   | 4         |
| 1867,.....   | 3         |
| 1868,.....   | 1         |
| Total, ..... | <u>13</u> |

After mature consideration, and in view of all the arguments which have been urged upon me to adopt a different course, I have seen no reason to change this policy. But my views are already well known in regard to this important subject; and I will simply call your attention to that portion of the Inspectors' Report in which they allude to the beneficial effects in the prison discipline, resulting from the very limited number of pardons which have been granted by me.

#### SOLDIERS' HOME—HARPER HOSPITAL.

By an act approved March 8, 1867, the "State Military Board" were authorized to make the necessary contracts and arrangements for a Soldiers' Home, for the maintenance, care and support of Michigan soldiers, sailors and marines, at the Harper Hospital, in the City of Detroit.

An appropriation for said object was also made from the Military Fund, of \$10,000 for 1867, and \$10,000 for 1868, the same to be disbursed by said State Military Board.

The Board was also required to make an annual "report to the Governor of all moneys received and disbursed by them, the number of beneficiaries of said Home during the year, together with such others facts and recommendations as they may deem proper."

Such reports have been duly made to me, a summary of which is as follows:

|  |           |
|--|-----------|
| Whole number of soldiers admitted to the Home from March 1, 1867, to Dec. 1, 1868, ..... | 228       |
| Number sent to National Asylums, .....   | 76        |
| " discharged, .....  | 129       |
| " died, .....  | 10        |
| Now in Soldiers' Home, .....   | 18        |
|  | <hr/> 228 |

Whole number of days board from March 1, 1867, to Dec. 1, 1868—15,214.

|  |                         |
|--|-------------------------|
| Whole amount paid for board,.....      | \$8,650 00              |
| Salary of Sup't, Ira M. Fletcher,..... | \$800 00                |
| "    "    T. S. Smith,.....            | 150 00                  |
| Incidental expenses,.....              | 78 92                   |
|  | <hr/> 1,028 92          |
| Total amount disbursed,.....           | <hr/> \$9,678 92 <hr/>  |
| Amount drawn from State Treasury,..... | \$10,000 00             |
| Amount disbursed as above,.....        | \$9,678 92              |
| Cash on hand,.....                     | 321 08                  |
|  | <hr/> \$10,000 00 <hr/> |

The Board, in compliance with the provisions of said Act, have made a very full and elaborate report of their proceedings, by which it appears that in the discharge of the duty assigned them, and with a view to securing for our "infirm, maimed and needy Michigan soldiers, sailors and marines," the best possible care and support, they have ascertained through the courtesy of the Adjutant General, the practice of nearly all the other States in this regard. They also visited the Asylums at Columbus, Ohio, and Milwaukee, Wisconsin, to which places many of our soldiers have been sent, where they became satisfied that the ample means for their support, as well as their permanent character, make those Asylums the real homes for the wards of the nation. The Board give abundant reasons in their report for this conclusion; and finally, "recommend the continuance of the Michigan Soldiers' Home for temporary relief, and the National Asylums as the best permanent home for our soldiers requiring aid."

Other matters having reference to the proper care and maintenance of our needy soldiers, are fully discussed in said report, which I herewith submit for your consideration; and most heartily concur in all its suggestions and recommendations.

#### OLD STATE CLAIMS.

It has been my purpose during my entire administration to urge the settlement and collection of all our State claims,

several of which have been many years in litigation, or otherwise outstanding and unsettled, and to some extent these efforts have been successful. There is yet, however, a balance due the State from the Phoenix Bank of New York, which should receive at once the attention of the Attorney General. The claim also upon the "E. H. Hazelton and Geo. M. Dewey Mortgage," given for \$50,000, payable June 15th, 1860, with 7 per cent. interest, should have long since been enforced by the foreclosure of said mortgage, which covers large and valuable tracts of land in the counties of Livingston, Genesee, Saginaw, Shiawassee, Tuscola and Midland; but—even after looking up the papers and collecting such additional facts as I believed would aid in the successful prosecution of the suit—I have been unable to induce the proper officer, for the time being, to render the necessary services in prosecuting this, as well as other claims, to final judgment.

In several personal interviews with the late Attorney General, I not only called his attention to these matters and to the necessity of giving them his immediate attention, and especially to enforcing the claim secured by the aforesaid "Dewey and Hazelton Mortgage," but also urged him to do so at once. Nothing, however, having been done, and feeling exceedingly anxious that the interest of the State in this regard should no longer be overlooked, I, on the 20th day of March last, formally requested the Attorney General, in writing, in accordance with the authority vested in me by the Statute for that purpose, to procure at once, so far as practicable, a decree of foreclosure of said mortgage.

This, to me, seemed to be an easy proceeding, inasmuch as the Hon. Jacob M. Howard, so long ago as he was Attorney General of the State, had filed the necessary bill of foreclosure in the Circuit Court for the proper county in chancery, and the proofs were closed by the Hon. Charles Upson, Attorney General, as early as 1862, when the cause was ready to be argued preparatory to a final decree thereon. The Hon. A. Williams, the then Attorney General, in his report of December 31, 1863,



also says: "It will be brought to a final hearing at an early period next year."

From all this it really appears that nothing remained to be done by Mr. Stoughton, except to give notice to the opposite counsel that at the next subsequent term of the court he should bring the cause to argument and have a decree entered thereon.

I also—such was my desire to have this matter settled before the close of my term of office—assured him that if he would come to Flint and examine the papers, and take the preliminary steps for the trial, I would make every arrangement in my power to lessen his labors, and would employ counsel to assist him. He thereupon, in his letter of 31st of March last, assured me that he would immediately come to Flint as I had suggested, and "put the case in shape;" since which time I have heard nothing from him, nor of any movement whatever to secure the requisite decree of foreclosure.

I make this statement in no spirit of censure or unkindness to any one, but as a necessary justification of myself; and as a reason why this matter has been left to pass into the hands of a subsequent administration, to whom I now most respectfully refer it, trusting that my successor may be more successful than I have been in securing that necessary legal aid which the people themselves have provided in such cases.

#### SWAMP LANDS AND STATE ROADS.

The whole subject in relation to the care and management of our Swamp Land State Roads, was by an Act of the Legislature, approved March 21st, 1867, committed to an officer known as the "Swamp Land State Road Commissioner," and who will undoubtedly, in accordance with the requirements of said Act, submit for your consideration a report of his official acts in relation thereto, together with such recommendations as he may deem proper.

This Swamp Land Road policy I have ever regarded as wrong:

*First*—Because, to my mind, it is a clear and manifest misappropriation of a most noble grant to our State for a most landable object; and

*Second*—Because in its operations it has produced an unwarranted waste of the public property.

It is too late perhaps now to lament the serious mistake which I believe has been made in this matter, and yet wise and judicious legislation, by the repeal of certain laws making appropriations for certain roads or portions of roads, not now really needed, and by the modification of other laws to the same end, may do much to correct the evil.

I would not, by any means, have it understood that I am opposed to any public improvement which will aid in any degree the opening up and reclaiming of the unsettled portions of our State, by the building of roads or otherwise. On the contrary, I am and ever have been an advocate of such improvements, provided they could be wisely and judiciously made. But I do not think it either prudent or advisable to secure such improvements by a sacrifice of the public property.

The following is a brief summary of the present condition of the appropriations and expenditures upon these roads:

#### UPPER PENINSULA.

|  |                    |
|--|--------------------|
| Amount of lands appropriated for<br>State roads and a bridge in the<br>Upper Peninsula—acres,..... | 1,361,676.40       |
| Ditto, for Peninsula Railroad,.....  | 67,675.63          |
|  | <hr/> 1,429,352.03 |

#### LOWER PENINSULA.

|  |              |
|--|--------------|
| Amount of lands appropriated for<br>State roads, ditches and bridges<br>in the Lower Peninsula—acres,...   | 2,194,892.19 |
| To which add the amount appropriated<br>by the Swamp Land Board of<br>Control from the 200,000 acres<br>placed at their disposal for draining<br>purposes, ..... | 59,628.60    |

|                                     |                     |
|-------------------------------------|---------------------|
| Amount appropriated for harbor im-  |                     |
| provements in Ottawa county,....    | 11,388. 57          |
| Ditto, for Primary Schools,.....    | 11,388. 57          |
| Ditto, for Muskegon River Flats im- |                     |
| provement (Beard claim),.....       | 11,180. 93          |
| Ditto, German American Seminary,.   | 25,000. 00          |
| Ditto, German Christian Agricul-    |                     |
| tural Benevolent Society (Ora       |                     |
| Labora), .....                      | 4,008. 64           |
| Ditto, Agricultural College,.....   | 6,721. 14           |
|                                     | <hr/> 2,324,158. 64 |

There will also be required to meet the expendi-  
 tures for surveys, local commissioners' services,  
 for interest paid under Act 187 of 1863, and  
 Act 385 of 1867, and for the necessary incidental  
 expenses, say at least,..... 200,000. 00

Total acres,..... 3,953,510. 67

Of the foregoing appropriations, there has been paid, to  
 the present time, in the Upper Peninsula:

|   |             |
|---|-------------|
| In cash, .....  | \$15,869 70 |
| " warrants, .....   | 700 00      |
| In lands, including the Peninsula R. R. (all paid),<br>and the bridge over the Menominee river. . | 271,694 93  |

Total payments in the Upper Peninsula,.... \$288,264 63

In the Lower Peninsula:

|                      |              |
|----------------------|--------------|
| In cash, .....       | \$99,482 41  |
| " warrants, .....    | 52,809 59    |
| In swamp land, ..... | 1,217,089 45 |

Total payments in the Lower Peninsula,..... 1,369,331 45

Total,..... \$1,657,596 08

This sum equals in land, 1,326,080 87-100 acres.

This does not include any of the expenses incurred under the present system for salaries of the Commissioner and clerk, nor for other incidental expenses.

It thus appears that the minimum value of the lands already expended upon these roads, including the cash payments for the same object, is \$1,573,022 08. If these lands had been sold and the proceeds invested at 7 per cent. interest, the annual income therefrom would be \$110,111 54; which sum judiciously expended would have built State roads quite as fast as the settlement of the country through which they might pass would have required them. If this be true, it is apparent that there is a loss to the State of the value of the lands, amounting to nearly \$1,600,000.

Again, all the labor, money and lands expended upon many of these State Roads will, in the end, prove to have been entirely thrown away; for being partially or very imperfectly constructed, through portions of the country where there will be for a long time to come little or no settlements or travel, they will necessarily become filled up with thick copse and a young growth of timber, which cannot fail to render their reopening hereafter quite as expensive as though nothing had been done upon them. And, still further, many of these roads will, as the country becomes settled, be abandoned, from the simple fact that their location will then be found to have been made over the wrong routes.

In fact a large proportion of these roads have not been laid out with a view to draining the country, but upon old roads, where very little work was required to be done, to enable the contractors to procure the lands at a trifling cost, and also, perhaps, to save the inhabitants for a time, at least, from the payment of their highway taxes.

But I have estimated the land at its minimum price of \$1 25 per acre, whereas most of that which has already been selected was equal in value to any wild land in the State; and would now sell—in my opinion—if we had it, for at least \$5 per acre, average, making a fund of over \$6,000,000,—the interest upon

which would construct and maintain, as fast as needed, all the roads that could reasonably be required for the wants of the new settlers. But as appears from the foregoing statement there is now appropriated more than 2,700,000 acres of these lands, in addition to what has already been expended and paid out.

I most earnestly commend the whole subject to your serious and careful consideration.

SAULT STE. MARY'S FALLS SHIP CANAL.

This important public work continues to accomplish the great end for which it was constructed, and its value to the trade and commerce of the Lake Superior region is constantly enhanced as the wealth and population of the Upper Peninsula increases; and it is by no means an unwarranted belief that the time is not far distant when it will be wholly inadequate to meet the rapidly growing demands of the Lake Superior trade.

The receipts from tolls for the year 1867, and the first eleven months of 1868, are \$57,139 80. This is \$11,730 62 in excess of the amount received from the same source for the years 1865 and 1866, and will be increased by the amount of tolls collected during the month of November, 1868, not reported in time to be included in this statement.

The amount expended in repairs, and in operating the canal for 1867, is \$14,827 56. This includes the sum of \$6,961 84 expended for materials and labor in the construction of a new pier, 300 feet in length, by 20 feet in width, on the north side of the lower entrance to the canal.

The Board considered it highly necessary that this pier should be built to facilitate the more ready and safe entrance of vessels and steamers into the canal. The amount expended in 1868, to October 30th, on the new pier, and for salaries, labor, repairs, &c., is \$7,812 79. The amount paid over to the State Treasurer from the earnings of 1867, is \$18,330 61, and the amount for 1868, to October 30th, is 13,959 67. There was however at that date, in the hands of the Superintendent, the

sum of \$3,003 06, the same having been retained in his hands to pay for a steam pump, upon its arrival, which he had been authorized to purchase.

The Board have deemed it the true policy, not only to keep the canal in the best possible repair, but to make such improvements as the funds at their disposal would reasonably warrant. In accordance with this view they have deemed it expedient to authorize the Superintendent, as soon as the same can be done—  
To dredge and clean out the bottom of the canal;

|  |             |
|--|-------------|
| estimated cost, .....  | \$700 00    |
| To build a new pier, being an extension westerly<br>of the north pier at the west end of the canal,<br>say 300 feet; estimated cost, ..... | 11,305 00   |
| To purchase a steam pump; estimated cost, from<br>\$3,000 to .....   | 3,500 00    |
|  | <hr/>       |
|  | \$15,505 00 |
|  | <hr/>       |

A full and detailed statement of all operations connected with the management of the canal will undoubtedly appear in the forthcoming report of the Superintendent, to which I would beg to refer you.

#### CONCLUSION.

In conclusion, I avail myself of this opportunity to express my grateful thanks to the people of Michigan for the high confidence they have reposed in me, and the cordial support they have given me during my terms of office. To have occupied the Gubernatorial chair during a period of such marked progress in the history of the State—to have been connected with the administration of its affairs, and instrumental in any degree in promoting its growth and prosperity, is to me a proud distinction. I leave the office without regret. Its duties are manifold and always pressing; its responsibilities burdensome and sometimes oppressive. I think I repeat the sentiments of my predecessors, when I say that the office brings to its occu-

pant cares, anxieties and perplexities commensurate with the high honors it confers.

In the discharge of its duties differences of opinion necessarily arise. The wishes and interests of individuals conflict with the judgment of the Executive, and oftentimes the conflict provokes the harshest criticism. The constant pressure of personal solicitation, well-intentioned, but frequently ill-judged—the persistent entreaty to deviate from well settled principles of action, render the free exercise of the functions of the office difficult and laborious.

It is with a sense of obligation that I acknowledge the support which has been generously awarded to me by the Legislature, in the approval of my views and recommendations. While endeavoring faithfully to discharge the important duties which have been confided to me, I have been aided and strengthened by the kindness and consideration shown me by the people and their representatives.

The interests of this people and the prosperity of this State will always be near to my heart. I have faith in the future. With resources varied and unrivaled—with elements of growth unsurpassed—with a people intelligent, enterprising and moral, Michigan is destined to occupy a front rank in the sisterhood of States.

As my parting injunction, in surrendering the trust which it has been my privilege to hold, let me urge the Legislature and my fellow-citizens to be guided by principle and absolute rectitude. Let no consideration of momentary advantage blind your eyes to the permanent and positive good of the State. Be slow to listen to the deceptive allurements of temporary expediency and policy, remembering, in the words of Jefferson, that "whatever is morally wrong cannot be politically right."

HENRY H. CRAPO.

EXECUTIVE OFFICE,  
Lansing, Jan'y 6th, 1869. }

The following are the documents which accompanied the message:

EXECUTIVE OFFICE, }  
Lansing, January 7, 1869. }

*To the Senate and House of Representatives:*

The following is a list of all the pardons granted during the years 1865 and 1866, with my reasons therefor; the same having been inadvertently omitted at the close of my first term of office:

**Asa Lowenburg**—Convicted of burglary, in the Circuit Court for Washtenaw county, at the March term, 1864, and sentenced for seven years. Facts and circumstances which came to light after the trial, show a reasonable doubt as to his guilt.

Pardoned January 6th, 1865.

**Michael Scallan**—Convicted of robbery, in the Recorder's Court for the City of Detroit, August 8th, 1864, and sentenced for seven years. Certificate from the prison physician, certifying that "at the most, he would probably survive but a short time." He died on the 14th April, 1865. His sickness was occasioned by a wound received while in the army. There was also great doubts of his being guilty of the offense for which he was convicted.

**Cordelia Hey**—Convicted in the Circuit Court for Kalamazoo county, at the November term, 1864, for the crime of conveying a file into the jail, with intent to assist a prisoner to escape, and bound over until the next term of the Court, upon a recognizance of \$100. She was only sixteen years of age. The Judge and Prosecuting Attorney state that she was confined in the jail for a long time before her trial; and that the prisoner to whom she gave the file was her mother, who exercised a bad influence over her. They also believed that she was not aware of any criminal act in furnishing her mother with the file.

Pardoned April 28, 1865.

**Elizabeth Mills**—Convicted in the Recorder's Court for the City of Detroit, November 14, 1864, and sentenced to the House of Correction for two years. Judge Witherell, before whom



she was tried, says, "had certain facts been presented to him at the time of the trial, which have since come to his knowledge, he should have sentenced her for a shorter time;" and he thinks she has been sufficiently punished.

Pardoned October 6, 1865.

Nicholas Luscomb—Convicted of robbery, June 9, 1864, in the Circuit Court for Kent county, and sentenced for three and one-half years. There were circumstances in this case which produced a strong conviction in my mind, that he was not really guilty of the crime for which he was convicted—but rather a dupe of the actual criminal.

Pardoned October 11, 1865.

Wm. Smith—Convicted of forgery, in the Circuit Court for Washtenaw county, August 24, 1863, and sentenced for ten years. Circumstances and facts have since transpired, showing very clearly that he did not commit the crime. One Dodge, who drew the draft in Smith's favor, for the forgery of which he was convicted, makes affidavit that it was genuine, and was not paid by his banker, through his own neglect. Dodge was in Europe at the time of the trial.

Pardoned December 9, 1865.

Wm. J. Brown—Convicted of larceny, in the Circuit Court for Cass county, October 1, 1864, and sentenced for three years. Certificate of the prison physicians, stating that he was dying with consumption, and that his condition was such he could hardly live a week.

Pardoned January 20, 1866.

Thomas Dooley—Convicted in the Police Court of the City of Detroit, of assault and battery, and sentenced to pay a fine of \$50, or in default thereof, to be committed to the House of Correction for 90 days. Pardoned upon the express condition that he fulfill that portion of his sentence, requiring him to pay the fine of \$50, and not otherwise.

Pardoned June 5, 1866.

James M. Van Riper—Convicted of an assault with intent to kill, in the Circuit Court for the County of Washtenaw, March, 1864, and sentenced for seven years.

Pardoned July 9, 1866, upon the urgent recommendation of the judge before whom he was tried, who, among other things, states that he should be set at liberty "*at once*," and "had he fully appreciated the facts and circumstances upon the trial, as he had opportunity to do since, he should have materially diminished the sentence." It also appears, from facts learned since the trial, that the Court and jury are not satisfied he was guilty of the "intent to murder."

He was therefore pardoned, upon the express condition that he shall hereafter wholly abstain from the use of all intoxicating drinks; and in case this condition is broken, the pardon to be thereby forfeited, and he to be thereupon returned to the prison, there to serve out the balance of his term.

Gustavus DeCoster—Convicted of larceny, in the Police Court for the City of Detroit, June 14, 1866, and sentenced to the Detroit House of Correction for 90 days. DeCoster was only 14 years of age. Mr. Brockway, the Superintendent, writes me, that he thinks this one of those rare cases, where a radical reform has been brought about. He was complained of by his father and mother for taking fifty cents.

Pardoned July 16, 1866.

Robert Baldwin Diamond—Convicted of passing counterfeit money, in the Circuit Court for the County of Genesee, October term, 1865, and sentenced for two years.

Pardoned August 19, 1866, upon the statement of Judge Turner, before whom he was tried, that his sentence of two years was partially based upon a supposed fact, which he afterwards learned was erroneous; and that if he had known such to be the case at the time his sentence was imposed, it would only have been for one year.

James O'Connor—Convicted of an attempt to commit highway robbery, in the Circuit Court for the county of Wayne, October 20, 1865, and sentenced for ten years. Facts having

come to light since his conviction, which, if they had been produced upon his trial, I believe would have established his innocence.

Pardoned December 8, 1866.

H. H. CRAPO.

EXECUTIVE OFFICE, { }  
Lansing, January 7, 1869. { }

*To the Senate and House of Representatives :*

The following list comprises all the pardons granted by me during the years 1867 and 1868, with my reasons for the same:

David M. Gault—Convicted of disorderly conduct, in the Central Police Station Court, January 24, 1867, and sentenced to the Detroit House of Correction for 80 days.

Immediately after his sentence, certain papers were found upon him showing that he was subject to fits; and what was supposed to be drunkenness was epilepsy. He was a soldier, and had a letter from Governor Oglesby, stating that he was subject to fits, and that he was on his way to the Military Asylum at Augusta, Maine.

Pardoned February 12, 1867.

Henry B. Cleveland—Convicted of murder in the first degree, in the Circuit Court for Washtenaw county, March term, 1865, sentenced for life.

Pardoned February 20, 1867.

*First.* The evidence at the trial, showing his identity and connection with the murder, was the uncorroborated testimony of an abandoned woman, whose account of the transaction, is in many particulars, suspicious.

*Second.* The numerous affidavits of the officers and men of the regiment to which said Cleveland belonged, established most conclusively, an alibi—showing the impossibility of his participation in the crime, and convincing me of his innocence of the charge.

John O'Neil—convicted of larceny in the Circuit Court for Ingham county, February 14, 1867, and sentenced for one year.

Pardoned April 22, 1867, on account of his extreme youth and imbecility.

Mary Haywood—Convicted of larceny, in the Circuit Court for Bay county, Feb. 1, 1867, and sentenced for one year.

Pardoned June 12, 1867, upon recommendation of the board of inspectors of the State Prison, she being in an advanced state of pregnancy, and there being no facilities at the prison for treatment in such cases.

Edward Murphy—Convicted of murder in the first degree, in the Mackinaw District Court, Sept. 17, 1860, and sentenced to solitary confinement in the State Prison, at hard labor, for life.

Pardoned March 12, 1868, upon numerous affidavits from his neighbor—establishing conclusively an alibi, and, consequently, his innocence of the crime for which he was convicted.

Michael Delaney—Convicted of larceny, in the Recorder's Court for the city of Detroit, and sentenced for one year to the House of Correction.

Pardoned, Oct. 13th, 1868, upon a statement from the Prosecuting Attorney, who was a principal witness, that he was mistaken in regard to the facts in the case at the time of the trial, and, had he understood the matter as he now does, Delaney would not have been convicted; and that all the facts proven of the trial, were consistent with innocence.

H. H. CRAPO.

The following is the message of the incoming Governor:

FELLOW CITIZENS OF THE SENATE  
AND HOUSE OF REPRESENTATIVES:

In assuming the duties to which we have been respectively called by the suffrages of the people of the State, let us not be unmindful of the heavy responsibilities necessarily imposed upon us.

To us have been committed, for the next two years, the Legislative and Executive duties of a great commonwealth.

Although our term of office is but for a brief period, the in-

fluence for good or for evil, resulting from our official acts, from the care and faithfulness with which our official duties are discharged, may be felt when we ourselves shall have passed away.

With a grateful appreciation of the important trust committed to us, let us invoke the guidance of that Divine Providence, which alone can enable us to discharge the duties incumbent upon us, in such manner as will advance the true and best interests of the State.

No period in the history of the State, has been marked by a more steady and healthful growth in population, and in the wealth of the people, than since the commencement of the last decade.

In 1860, the vote of the State for Presidential Electors, was 153,537, with a population of 749,000, or one vote for 4.88 inhabitants. In 1864, the vote for Electors, was 166,125, or one vote for 4.84. At the recent November election, the vote for Electors, was 226,329, an increase of more than forty-seven per cent. over the vote of 1860, and more than forty-two per cent. over that of 1864; showing the present population of the State, to be fully eleven hundred thousand persons. In 1860, the taxable valuation of the real and personal property of the State, as fixed by the Board of Equalization, was \$172,055,808 89; in 1866, \$307,965,842 92, an increase in six years, of \$135,910,034 03, or about 79 per cent. I have no doubt that the present taxable valuation of real and personal property, is at least \$400,000,000.

#### FINANCES.

The finances of the State are in a prosperous and highly satisfactory condition.

That our financial policy is both safe and judicious, and that its management has been in good hands, I need only refer you to the several reports of the proper officers, and to the large and increasing balances in the Treasury, for the last six years, during which period the present system has been in operation.

At the close of the fiscal year, ending Nov. 30th, 1861, the

total indebtedness of the State, (including the balance against the Treasury of \$27,179 79, and outstanding warrants for \$1,154 74,) was \$3,775,310 75. If we deduct the bonds issued that year, \$449,100, for war expenses, we should have an indebtedness, exclusive of war bonds, of \$3,326,210 75.

There has been expended from 1861, to the close of the last fiscal year, on account of the late civil war, a total sum of \$3,138,889 43. The General Government has reimbursed to the State, \$707,399 69, leaving a balance of expenditures, on account of the war, of \$2,431,489 74; of this amount there were paid for bounties, \$1,652,700; premiums for enlistments, \$57,236; other purposes, \$721,553 74, which has been paid from the proceeds of war bonds, and war bounty bonds.

This balance of expenditures, with the debt existing at the commencement of the war, would have left a debt, at the close of the fiscal year, ending Nov. 30, 1868, of \$5,757,700 49.

The State debt at the close of the fiscal year, was \$5,645,519 12; from which should be deducted the balance in the Treasury, \$1,130,229 67; leaving the indebtedness—including the Trust Funds—\$4,515,289 45.

From this exhibit it will be seen, that if the balance in the Treasury, had been applied to the State debt, there would have been paid from the revenues during the last seven years, \$1,242,411 04.

The receipts and disbursements of the Treasury Department, during the last biennial period, were as follows:

|  |                |
|--|----------------|
| Balance in the Treasury, Nov. 30, 1866,.....     | \$579,007 32   |
| Received during the fiscal year, ending Nov. 30, |                |
| 1867,.....                                       | 1,697,390 32   |
|  | <hr/>          |
| Total,   | \$2,276,397 64 |

Payments from the Treasury in

|                                   |                       |
|-----------------------------------|-----------------------|
| 1867,.....                        | \$1,694,283 68        |
| Balance in the Treasury, Nov. 30, |                       |
| 1867,.....                        | 582,113 96            |
|                                   | <hr/>                 |
|                                   | <u>\$2,276,397 64</u> |

|  |                     |
|--|---------------------|
| Receipts for the fiscal year ending Nov. 30, 1868, | \$2,222,627 47      |
| Disbursements for the same period,.....            | 1,674,511 76        |
| Balance in the Treasury Nov. 30, 1868,.....        | <u>1,130,229 67</u> |

## PUBLIC DEBT.

The amount of the interest-bearing Funded

|  |                       |
|--|-----------------------|
| State Debt, Nov. 30, 1868, was.....    | \$3,571,500 00        |
| Non-interest-bearing Funded Debt,..... | 42,578 49             |
| Trust Fund debt,.....                  | <u>2,081,440 68</u>   |
| Total,                                 | <u>\$5,645,519 12</u> |

It is undoubtedly "the true policy of the State, to reduce its bonded indebtedness as rapidly as it can be done, without inconvenience to the people."

Provision has been made by former Legislatures, for the redemption of the Two Million Loan Bonds, and the War Bonds, by a small annual Sinking Fund for each, and by a provision of law, which requires the annual receipts into the Trust Funds, to be invested in the bonds of the State.

During the last fiscal year, the Treasurer made no inconsiderable efforts to purchase \$200,000 of the first maturing bonded indebtedness; this effort' resulted in obtaining but \$3,000 of that kind of bonds.

The bonded debt has been reduced during the last fiscal year, \$287,164 21, and will be lessened by the further sum of \$194,600, as soon as the bonds already matured, or drawn, are presented for payment. It is also to be hoped, that the efforts which are still being made, for the purchase of \$200,000 of the first maturing, Two Million Loan Bonds, may prove successful.

It has been the wise policy of the State, that every Legislature should provide by taxation, a revenue sufficient to meet all appropriations and contingencies.

That a financial system, which has proved so successful, should continue to be the policy of the State, seems to me to admit of no doubt.

From the brief review which has been made of the finances, it will be seen, that our wealth and resources, are steadily increasing; that but for the late civil war, the indebtedness of the State, would have been largely diminished; that a very large portion of the present debt, has been created in maintaining the perpetuity of our Government; for expenditures resulting directly from the war. Under these circumstances, and in view of the large balance in the Treasury, I recommend that the State Tax, for general purposes, be reduced for the next two years, to as great an extent, as can be done with entire safety to the many interests of the State.

#### EDUCATION.

The education of the people has ever been one of the great principles of our Republican Government. The Ordinance of 1787, declared that "religion, morality and knowledge, being necessary to good government, and the happiness of mankind, schools and the means of education, shall forever be encouraged."

In a community where the elective franchise is so nearly universal, that almost every man has a direct voice and responsibility in the character of the government; where the government is but the expression of the people's will, universal education becomes an obvious necessity.

There is nothing in which the people have a deeper interest; schools are the nurseries of virtue and intelligence, and contribute directly to the security of life and property, the preservation of social order, and the stability of free institutions.

The public schools are reported to be in a flourishing condition. In all parts of the State, the old, inconvenient school-houses are giving place to larger, better, and in many cases, to very superior edifices.

The number of children reported in the school census for 1867, was 338,244, and for 1868, (including 1,112, the number reported last year in four towns, whose reports have not yet been received for 1868,)—358,594; reported as attending the public schools in 1867—243,161; in 1868—249,920.



The total revenues for Primary School purposes for 1868, were \$2,481,078 68.

The Primary School Fund is as follows:

|   |                       |
|---|-----------------------|
| Trust Fund with the State, 7 per cent., .....     | \$1,493,243 80        |
| " " " " 5 " .....                                 | 185,600 00            |
| Unpaid balances due on school lands, 7 per cent., | 771,492 98            |
|   | <hr/>                 |
|   | <u>\$2,450,336 78</u> |

There remains of Primary School Lands, unsold, 490,461.70 acres.

#### NORMAL SCHOOL.

The State Normal School continues to prosper. During the last biennial period, the number in attendance has been, in 1867—382, and in 1868—428. The expenses of the School are about \$17,000 per annum; the revenues are a little over \$7,000, derived as follows: From initiation fees, \$2,400; from interest on Normal School Fund, \$4,669; leaving an annual deficiency of about \$10,000, which has been met by legislative appropriations.

#### AGRICULTURAL COLLEGE.

The framers of the Constitution, recognizing the great truth, that "agriculture is the foundation of all material wealth and strength," and not regarding the occupation of the farmer, as one of mere drudgery and toil, but accepting it as deserving the first place and rank in the business and labor of life, provided for the establishing of an Agricultural School, for the promotion of intellectual, scientific and agricultural improvement.

The Agricultural College of Michigan, may justly be said to have been the pioneer of this branch of education in our country. It has been eleven years in operation. During the first years of its history, its managers and faculty necessarily labored under many and serious disadvantages. In laying the foundation, and in building the structure, like unto which no other had been built, they had neither the advantage of per-

sonal experience, guide or example. That it met with partial failures, and experienced dark days, ought not to be surprising.

For the last five years the Institution has steadily gone forward in reputation and in prosperity. Its course of instruction, both theoretical and practical, has been enlarged and improved.

The average number of students in attendance for 1867, was 90, and in 1868—80. A very large proportion of these were sons of farmers.

I am happy to believe that the farmers of Michigan are taking a higher and more active interest than formerly in this Institution, and in all that tends to the elevation of the chief pursuit of their lives.

The College endowment consists of 240,000 acres of land, donated by act of Congress, the whole of which has been selected. The minimum price having been fixed at five dollars per acre, they are now in market, and applications are already being received. The favorable location of a large part of these lands, will be likely to make for them a ready sale. The Institution also owns 3,800 acres of swamp lands, in Ingham and Clinton counties, valued at fully \$20,000, besides the farm on which its buildings are located.

It will thus be seen, that the Agricultural College is likely to become our most liberally endowed educational institution. It will, however, need for a short time longer, the aid and fostering care of the State. The Board will ask for a small appropriation for improvements, and for a new building, to be used chiefly for an additional dormitory—which is greatly needed.

#### UNIVERSITY.

The University of Michigan commenced its operations in 1841, and, although among the youngest of the great Collegiate institutions of America, has already attained to the first rank, both at home and abroad.

It is a State institution; its Board of Regents, under whose care and control it is placed, are elected directly by the people; it is a part of the general educational system of the State.

Its catalogue presents a list of thirty-five Professors. Its present number of students is 1,089; in the Department of Science, Literature and the Arts, 409; in the Department of Medicine and Surgery, 350, and in the Department of Law, 330. For the last five years, it has averaged more than a thousand students.

The income of the University for its last financial year, was \$62,772 82, derived from the following sources: Interest from the University Fund, \$37,086 22; from students' fees, \$25,686.

Although this is a State institution, and has long and justly been the pride of the people, no part of its endowment has been derived from the State. Its fund is the proceeds from sales of the lands donated by the General Government, and is as follows:

|   |                     |
|---|---------------------|
| Trust Fund, with the State, (including amount re- |                     |
| mitted, act No. 143, laws of 1859,) 7 per. cent,  | \$405,962 56        |
| Unpaid balances due on University Lands, 7 per    |                     |
| cent, .....                                       | 154,015 43          |
|   | <hr/>               |
| Total,  | <u>\$559,977 99</u> |

Only 230 acres of University Lands remain unsold.

While the corps of Professors, both in number and ability, will compare *favorably*, and the number of students is larger than in the oldest and most popular Colleges of the land, its endowment fund is very much smaller. The annual receipts of the University from all sources, have been barely sufficient to meet the current expenses, managed as they have been in the most careful and economical manner.

It is doubtful, at least, whether the University can continue to maintain its present high position among the best institutions of learning in the land, without some additional provision for the improvement of its buildings, the steady increase of its library, and for an increase in the number and salary of its Professors.

As one of the leading and most useful Universities of the country, and as the head of our State system of education, it

merits, and I cannot doubt will receive the liberal patronage of the Legislature and the people.

INSTITUTION FOR EDUCATING THE DEAF AND DUMB AND THE BLIND.

By a wise provision of the Constitution of the State, it is made our duty to foster and support institutions for the benefit of those inhabitants who are deaf, dumb, blind and insane. Among the brightest gems of our Christian civilization stand forth these benevolent institutions for the unfortunate and suffering.

It is now more than fourteen years since the Asylum buildings, at Flint, for the education of the deaf, dumb and blind were commenced. Possibly it would have been better economy, to have commenced upon a smaller and less expensive scale, and to have completed such buildings at once rather than to have adopted the large and expensive plan, which has remained so long unfinished. But the work was undertaken by the State, on its present scale. Appropriations have been made from time to time, and have been expended in accordance with the designs of the Legislature. The present efficient acting Commissioner, has served in that capacity from the commencement of the work, and under his personal supervision, each appropriation has been expended.

The main or front building, yet remains unfinished. The completed portions of the buildings are occupied to their fullest capacity, and it is believed that if the whole should be completed within the next two years, it would only accommodate the demand for admissions, which are and would be made.

In my judgment, there has hitherto been one serious deficiency in this Institution. The lack of means or facilities for instructing the pupils in such branches of labor or trade, as would be suited to their condition, and as would enable them, upon leaving the Asylum, more readily to obtain a livelihood; this deficiency is now partially remedied.

The present number of pupils is 140.

The Report of the Trustees, will fully explain the condition and wants of the Asylum.

The main front building should be finished as speedily as a due regard to a wise economy will allow.

#### ASYLUM FOR THE INSANE.

Among the beneficent institutions of the State, no one has a stronger claim upon our warmest and most liberal support than the Asylum for the Insane. This Institution is fully sustaining the high reputation it has hitherto borne among the many benevolent works of our country.

There were remaining at the Asylum, at the time of the last biennial report, 172 patients; received during the last two years, 201; whole number treated, 373. Remaining on the 30th of November, 1868—229.

There has been received for support of patients, from counties and individuals, \$85,989 94. The expenditures for current account were \$114,913 52, having been considerably increased by the purchase of stock, bringing a large amount of land under cultivation, and for labor aiding in construction.

Under the prudent and judicious management of the officers, by the use of machinery on the grounds, abolishing contract work and making furniture at the Institution, a large amount has been saved from the appropriations made by the last Legislature. This saving has been used to make up the deficiencies in current expense account and in making unanticipated renewals and repairs.

More than half of the north wing has been finished, and is now in use. The whole will be completed within a few weeks, when the Asylum will furnish a capacity for about three hundred patients.

I am not aware of the number of persons in the State that should receive the care and treatment which can no where else be so well furnished as at an asylum of this character; but the number is very much larger than can possibly be received

at Kalamazoo, even when its present buildings are fully completed.

For want of room at the State Asylum, some of the counties have endeavored to make provision for their insane, by building County Asylums. In my judgment the necessity for this is greatly to be regretted, both in the light of economy, and what is of far greater importance, of humanity. In other States, where the experiment has been made, the results have not been satisfactory, and I have no doubt the experiment in our own State will prove equally unsuccessful.

As the State advances in population, this afflicted class will continue to increase in number, and I cannot too earnestly express the hope that provision will be made for the proper care and treatment of all this unfortunate class of our citizens.

#### REFORM SCHOOL.

This is one of the most important and useful of our public charities, and seems to be in good condition.

During the last biennial period, the number of boys committed to the School, has been 210; released, 243; present number, 247; being ten less than reported one year ago, and thirty-three less than at the close of the school year for 1866.

The boys are occupied in such branches of industry as will be of service to them in after life. The net earnings of the school for 1867, were \$6,000, and for 1868, \$7,000.

Beside the appropriation for arrearages and for the support of the Institution for 1867 and 1868, the last Legislature made an appropriation of \$31,000, to provide steam heating apparatus, to build a kitchen, bakery and laundry, and for the erection of two houses. The heating works are completed. The new wing, for kitchen, bakery and laundry—also furnishing additional rooms for boys—is finished and in use. One only of the two houses has been built, and that is nearly ready for occupancy. The appropriation, however, has been exhausted.

The Board of Control ask for appropriations for the support of the School for the coming two years; for enlarging the work-

shops; for procuring needed machinery; for the erection of a farm barn; for repairs to the main building, and to meet the requirements of Section 3, Act No. 130, Laws of 1867.

I believe that proper appropriations for these purposes should be made; but whether the full amount named will be required, will, I am sure, receive careful consideration.

In their Annual Report for 1868, the Board of Control suggests the erection of a building, to be connected with the Institution, to be used as a Reform School for girls. That some provision is needed for the care of girls as well as boys, seems to admit of little doubt; whether the two should be united may not be so clear.

#### STATE PRISON.

In the management and discipline of the State Prison, there seems to be a good degree of efficiency. The Prison has, as yet, never been fully self-sustaining; it has for some years been a heavy tax upon the Treasury of the State.

The number of convicts on the 30th of November, 1867, was 582, an increase of 80 over the previous year, and on November 30th, 1868—622, an increase of 40 since 1867.

The earnings for the fiscal year ending November 30, 1867, were \$57,856 58, and for the year ending November 30, 1868, \$85,238 69. The disbursements for current expenses for 1867, were \$80,268 29, and for 1868, \$94,136 47, being \$31,309 59 more than the total earnings for the same period.

The appropriations made by the last Legislature, have been expended. The new work shop has been completed, and the building for the insane convicts will soon be ready for occupancy.

There has been paid from the Treasury of the State, for the two years, for current expenses of the Prison, \$47,000; and for new buildings and improvements, \$28,000. Total, \$75,000.

During the last year, the old contracts having expired, new contracts have been let, and the convicts are now working at an average advance of about forty per cent. It is estimated that

the earnings and current receipts for the present year, will amount fully to \$100,000, and that the expenses will not be materially increased over those of last year. It is confidently hoped that the time has arrived, when the State Prison will be self-sustaining, and no longer require aid from the State Treasury, except for additional buildings, and other necessary permanent improvements.

The time is not far distant, when provision will be required for a larger number, than can be received with the present accommodations of the prison. It is hoped this will not be necessary within the next two years. The present buildings and the walls which enclose the whole, are far from being what they should be. Repairs are needed, and the whole aspect of the Prison should be improved. The room used for a Chapel is most gloomy and forbidding, and in my judgment wholly unfit for such a purpose.

The last Legislature provided for an increase of the compensation of the Agent and other officers, for 1867 and 1868. The salaries hitherto paid to these officers, seem to be unreasonably small; certainly smaller than is allowed in other States for the discharge of similar duties. I recommend that a reasonable, but permanent addition to these salaries be made.

The suggestion of the Agent relative to the earnings of the convicts, is worthy of consideration; whether, in case of surplus earnings, the convicts, under proper restrictions, upon their discharge, may not receive some portion of such surplus. Might not such a provision show the unfortunate prisoner that he was not wholly cast off, as a hopeless criminal? Would it not be an incentive to good behavior and faithfulness, and upon his return to the duties of life, to an entire reformation of character?

The report of the Inspectors will place fully before you the condition and wants of the Prison. They ask for an appropriation, in all, amounting to \$27,500, for repairs, sewerage and a new building; the basement and first story of which, to be used for storage, a bath-room and work-shop; the second story



for a Chapel; and for opening a street, and for fences in front of the Prison. These improvements, in my opinion, should be made.

Most of the provisions of law relating to the government and discipline of the State Prison, were adopted many years ago, and before the change from annual to biennial sessions of the Legislature. Under the changed circumstances, compliance with some of these provisions is impracticable. A general revision seems to be desirable. Indeed, the whole subject of prison discipline is one requiring thoughtful consideration, and perhaps might be materially changed, not only to the well-being of the unfortunate class who become inmates of our prisons, but to society at large. It should be such as would tend, not merely to the punishment, but to the reformation of the offender.

In this connection I would suggest the expediency of the appointment of a Commission, empowered to consider the whole question of Discipline, as pertaining to our various punitive and reformatory institutions, and to report thereon at the next session of the Legislature.

#### ST. MARY'S FALLS SHIP CANAL, AND UPPER PENINSULA.

The gross earnings of the St. Mary's Falls Ship Canal, for 1867, were \$33,515 54. This was \$10,446, more than was received in 1866. Of this increase, \$4,666 96 were the result of the increase of the rate of tolls from 4½ to 6 cents per ton, upon the tonnage of steamers.

The entire receipts for tolls for the year just closed, were \$25,977 14; being \$7,538 40 less than the year before. This falling off is owing in a great degree, to the exceeding depressed condition of the copper mining interest.

The Canal has been in operation fourteen seasons. Very considerable repairs have been made during the last two years, which, with those now being prosecuted, will place it in as good condition as the wear and tear of this length of time would allow.

The Board of Control has authorized it to be dredged, to clear it of the mud and stone which have been borne down by the ice and current. Three hundred feet of new pier is to be built on the north side, at its western terminus. The valves of the lock gates and the slope walls are to be repaired and improved. These improvements will be made under the charge of the Superintendent during the winter months. The materials are already purchased and on the ground.

This Canal, though located in Michigan and under State control, is a national work, and of great national importance. At the time of its projection, it was supposed to be of sufficient capacity for the transit of any vessels which the trade of Lake Superior would ever require, or which could pass through the shallow waters of the St. Clair Flats, or the St. Mary's river.

For the removal of these river and lake obstructions, Congress has made large appropriations, and the work is now in progress.

The resources of Lake Superior were little known at that time. Its vast mining interests were undeveloped. Its remoteness and isolation were such, that neither Congress nor the people supposed it would ever become one of the great highways of the nation, and still less possibly, one of the great avenues of commerce with the world.

Already the commerce which has been developed along the shores of Lake Superior has become so extended, that the class of vessels which has been found most advantageous to be used in this trade, cannot be loaded to their full capacity, for the lack of sufficient depth of water in the canal.

The great North-west is yet in its infancy. Population is pressing into the States and Territories with wonderful rapidity. A railroad is already being constructed, from the Mississippi at St. Paul, to the head of Lake Superior, which, during the season of navigation, must make this canal the great outlet for the products of Northern Wisconsin, Minnesota, and the Territories beyond. Should the Northern Pacific Railroad be constructed, Lake Superior would become emphatically the

key to the North-west, and thus this canal, as its outlet, of still greater national importance.

Although this is a national work, Michigan—not alone the Upper Peninsula, but the whole State—is deeply interested in its improvement, and in all that will tend to make it the great avenue of the trade of Lake Superior and the North-west. Since its construction, other avenues have been opened, through which no small portion of the trade and wealth of this region is being diverted to other States.

In view of the considerations already suggested, has not the time arrived, when justice to the interests of the Upper Peninsula, requires such substantial improvements to be made, as will increase the depth of water in the Canal, and otherwise facilitate the growing commerce of that important region?

I would respectfully suggest the expediency of an application to Congress for such an appropriation as may be necessary for this object.

Whatever legislation will tend to the advancement of the true interests of our Northern Peninsula, the development of its rich resources, or to relieve its vast interest connected with the mining of copper from its present depressed condition, will, I am sure, receive your most careful consideration.

#### SWAMP LANDS AND ROADS.

The appropriations heretofore made by the various Acts of former Legislatures, in the aggregate, amount to upwards of 4,000,000 of acres. The policy adopted with regard to the disposal of these lands could not now be changed, even though it were not in all respects the best that could have been adopted. The grant to the State, under the Act of Congress known as the Swamp Land Act, was about six millions of acres. The lands were located in all parts of the State. Though known as Swamp Lands, a large portion of them were excellent agricultural lands, and many of them were covered with forests of pine and other valuable timber.

As it is too late, even if it were desirable, to change the policy hitherto pursued in disposing of this class of public property, I shall only recommend, that great care be taken in future, lest the appropriations shall exceed in the aggregate, the amount there may be remaining unappropriated, and liabilities thus be created against the Treasury by reason of any deficiency of lands.

There are some defects in the laws for the management and disposal of this property, to which I respectfully ask your attention. Act No. 76, laws of 1867, entitled an Act to provide for a Commissioner, to be known as the Swamp Land State Road Commissioner, was wise in its provisions, and vests a large control in that office; his responsibility thereunder seems to have been well guarded by the accountability to which the law subjects him. There was no term, however, fixed to his office, except the pleasure of the Governor, and no salary, except for the first two years. In these respects the act needs amendment, and both the term of office and the salary should be fixed by the act from which he derives his power.

There is no sufficient safeguard, under existing laws, against combinations at public sales, to prevent competition. The minimum price for the valuable timber lands being very low bidders have but to combine to be able to divide among themselves, these lands at the minimum. To obviate this, I recommend that the Commissioner of the State Land Office, be vested with authority to graduate the prices of that description of lands, making the minimum three dollars, and ranging from that up to seven dollars per acre, according to their quality and value. They are already valuable, and are becoming more so every year, and the State would profit largely, even should they for a time be withheld from market.

The rapidity with which our noble forests are being destroyed, and the certainty that within a few years all those belonging to individuals, will be cleared of this valuable timber, almost renders it an imperative duty for the State, to guard for future use, all which it may own or control.

Large quantities of land are held under the authority of the provisions of Section 8, Act 31, of 1858, and Section 2, of Act 106, of 1859, upon which no settlement or improvement has been made, as required by the law; and yet the law does not confer upon the Commissioner of the Land Office, the authority to declare void the certificates by which those lands are held. I recommend an amendment, conferring upon that officer authority to declare void all certificates, under which lands belonging to the State, are held by individuals, in cases where the requirements of the law have not been complied with.

There has been a practice among contractors who have become entitled to public lands, by reason of having fulfilled their contracts, of allowing the title to remain in the State, after they or their assignees have become the absolute owners, for the purpose of avoiding the taxes, to which the lands become liable, when the title shall have passed to individuals. Large quantities of lands are in this condition. This is so manifestly unjust to the whole body of tax-payers, that I recommend the passage of an Act, which shall compel them to take their titles within a reasonably short time after they shall have become entitled to them. In respect to these, and lands belonging to other Land Funds of the State, I respectfully refer you to the Report of the Commissioner of the Land Office, which will be before you.

Not having seen the full report of the Swamp Land State Road Commissioner, I am unable to give you any information as regards the roads under contract, or now being made; neither can I make specific recommendations as to the various matters which that report will contain; but I would respectfully ask your most thoughtful consideration of the Report, and of the whole subject of the disposition of these lands.

It is at least doubtful, whether it will be safe to make additional appropriations of lands in the Lower Peninsula, without first repealing some of the former appropriations, for roads not already under contract.

## SOLDIERS' HOME.

The "Soldiers' Permanent Home Commission," appointed by my predecessor, in compliance with the provisions of Act No. 114, of 1867, have faithfully discharged the trust imposed upon them.

The object of the Commission was to gather information, as to the number of Michigan Soldiers likely to become beneficiaries of a Soldier's Home, and the probable expense of the preparation, and maintenance, and the best mode of conducting such an institution, and other information pertinent to the subject.

The Commissioners put themselves in correspondence with the county clerks, and with the supervisors in all the counties of the State, and after careful inquiries, they found ninety-two indigent, disabled soldiers, who will be likely to become inmates of a Soldier's Home; fifty-seven of these have families; thirty-five have none.

Besides these, there are in the State, large numbers of soldiers, who are more or less disabled, but who are now both able and willing to support themselves and their families; some of this latter class, in the opinion of the Commission, will, as age increases, also need assistance from some source.

An Act of Congress, established a National Home, for permanently disabled volunteer soldiers, which has been located at Dayton, Ohio, with branches at Milwaukee, Wisconsin, and Augusta, Maine. The members of our Commission visited the first two named.

These Asylums are largely endowed, accessible, with extensive grounds and buildings, furnished with all the requirements of such institutions; and though located in Ohio, Wisconsin and Maine, are wholly National in their character, and will necessarily afford more care and comfort to the invalid soldier, than could be expected in similar homes provided by each individual State.

With perhaps one or two exceptions, wherever State Asylums

have been established, they have subsequently been relinquished, or used for the care of such cases as were of a temporary character.

At the last session of the Legislature, an appropriation was made of \$20,000 from the Military Fund, to be denominated the "Soldiers' Home Fund," to provide a temporary home for infirm and needy Michigan soldiers, at the Harper Hospital, in Detroit. Its management, by the State Military Board, to whose care it was intrusted, has been all that could be desired. Under the contract made with the Trustees of the Hospital, the needy or sick soldier has been provided with a comfortable temporary abode, where he has received kindly care, and all necessary medical aid and treatment. The whole number admitted, from March 1st to December 15th, 1867, was 143; from December 15th, 1867, to December 1st, 1868—84; total 228; number sent to National Asylum, 76; discharged, 129; died, 10; remaining, December 1st, 1868—13. The expenditures from March 1st to Dec. 15th, 1867, were \$4,870 37; from Dec. 15th, 1867, to Dec. 1st, 1868, \$4,808 55—total, \$9,678 92. Amount drawn from the Treasury of the State, \$10,000.

This Home being for temporary purposes only, the Military Board, accompanied by the Adjutant General, visited the National Asylums in Ohio and Wisconsin, to which they had already sent many of our soldiers. In their report they say of these Asylums: "The management is kind, and most ample facilities are afforded the inmates for remunerative industry, mental cultivation, amusement and personal comfort. The former inmates of our Home, found at these Asylums, gave assurance of their satisfaction with their treatment, and the general conduct of the Asylums."

Both the Board and Permanent Home Commission, recommend the National Asylums as the best *permanent* provision for our invalid and infirm soldiers; in which recommendation I fully concur. I recommend the continuance of the present arrangement with the Harper Hospital, as the best means of providing such *temporary* aid and relief as may be required.

A little more than one-half of the appropriation made by the last Legislature, remains unexpended. Whether this will be sufficient for the necessities of the next two years, is worthy of examination.

The Report of the Soldiers' Permanent Home Commission, calls attention to the fact, that while our State has not been remiss in its efforts to provide for its *soldiers*, it has made no provision whatever, for the widows and orphan children of those whose lives were sacrificed in the defense of their country. Is it right that this duty should be left, as hitherto, to the several counties, townships, or cities?

#### MILITARY DEPARTMENT.

The alacrity with which the people of the country responded to the calls of the government, when its existence was threatened by rebellion, is good evidence that no large Standing Army is required in a well *regulated* Republican Government. I do not favor large and expensive State organizations, but while we depend in the main upon *Citizen Soldiery* for protection in cases of necessity, I am of the opinion, that a proper and wisely economical system, for the encouragement of State troops or militia, should receive the sanction and support of the Legislature. At the present time, the entire militia of the State consists of three companies of infantry, organized as State troops. It is not improbable that our laws for the organization of the military force of the State, might be somewhat improved, so as to encourage a proper military spirit among the people, without adding in any degree, to the expense of the system.

#### IMMIGRATION.

Steady and encouraging as has been the growth and prosperity of Michigan, its extensive and fertile territory yet uncultivated and unoccupied, reminds us that our State is yet in its infancy, and is capable of sustaining a prosperous population, many times its present size. Neighboring States have long been active in making known to immigrants from the old world, as well as those from the older States of our own country, the



supposed advantages of their particular localities, whilst we have done nothing whatever, to place before them the inducements which our State can offer to an industrious people.

I respectfully submit the propriety of taking some measures to make known to those seeking new homes, the peculiar and advantageous position of Michigan, and to furnish reliable information relative to the many and varied resources of our noble Commonwealth. Wise and early action in this direction, can scarcely fail to attract to our borders a goodly portion of the thrifty immigrants, who in such great numbers are flocking to our shores.

#### MANUFACTURES.

Our State possesses more than usual natural advantages to make it a large and prosperous manufacturing commonwealth. Its geographical and central position between the East and West; nearly surrounded by the great lakes, with many beautiful rivers watering the country, and finding their outlets into these lakes, furnishing facilities for commerce and affording great hydraulic power; its present and prospective lines of railroad—furnishing easy communication with every portion of the State, and all parts of the continent; its noble forests of pine and other timber, now so largely exported to other States and other countries, for manufacturing purposes; its rich mines of iron and copper; its beds of coal and gypsum; its inexhaustible supply of saline water and undeveloped quarries of stone; its fertile territory, adapted to the cultivation of a great variety of grains, vegetables and fruit, and its healthful climate—all indicate that Michigan should become a manufacturing as well as an agricultural State.

It is *diversified* industry that enriches a country; that has so greatly enriched England, France and many of the older States of our own country.

Manufactures furnish employment to old and young, and support a larger population than is ever found in strictly agricultural countries. Just in proportion as the manufactures of

the State are increased, a market is furnished for its agricultural and other products. These markets will be at home, at its own doors, and must necessarily give increased value to our farms, our forests, our mines, and to all of the products of the State.

Some of the neighboring States have encouraged the establishing of manufactures among them, by discriminating legislation; may it not be the case that the legislation of our own State, may have had a tendency to repel, rather than attract, the investment of capital among us, in this important branch of industry?

I trust that the laws bearing on this subject, will be carefully reviewed, and such legislation adopted, as will tend to foster, and encourage the investment of capital among us, in manufactures, and in all the varied forms of industry.

#### GEOLOGICAL SURVEY.

I submit to you the importance of providing a thorough and complete Geological survey of the State. Many years ago, in our early history, this work was partially prosecuted by the late Dr. Douglass Houghton, whose sudden death put a stop to this important work. Small appropriations were subsequently made, but no general survey has been effected. The developments made by the very partial work hitherto done, have many times repaid the comparatively small expenditure. But what is needed, is a thorough and comprehensive examination of the whole State.

Great and varied as are its present resources, we know as yet but little of the hidden mysteries, which lie undeveloped within its borders.

#### NATIONAL BANKS.

The provisions of Act No. 122, laws of 1867, imposing a specific tax of one per cent., upon banking associations, organized under the laws of the United States, doing business in this State, have met with but partial compliance. Of the forty-two National Banks in Michigan, about one-third only, have paid all of the four installments of the tax; some have paid three,

others two; some one installment, and a few are delinquent for the whole tax.

National Banks, pay a large tax to the General Government, but there can be no good reason why the large amount of capital invested in these associations, should be exempt from a just share of the burden of State or local taxation, imposed upon other property; and certainly, there can be no justice or propriety in allowing a *portion* of them to go untaxed, while others comply with the requirements of law.

In order that there may be no question as to the legality of the tax, under the State laws, I recommend that the General Banking Law of the State, be so amended, that capital invested in Banks organized under that law, may be assessed and taxed in the same manner, and to the same extent, as other property or capital. I also recommend that such amendments be made to the law providing for taxing National Banks in this State, as will subject the shares of such Banks to the same taxation as is imposed on other moneyed capital.

#### CONSTITUTIONAL CONVENTION.

The Convention for the revision of the Constitution of the State, which was held at the Capital in May, 1867, in accordance with the provisions of law, adopted and submitted to the people a Constitution, in many of its features, wholly different from that under which the people of the Commonwealth, have lived and greatly prospered for the last eighteen years. The proposed Constitution was rejected.

The fact, that at the general election of 1866, a majority of the voters declared in favor of a Convention, for the revision of the Constitution, indicated at least the desire that some changes should be made in the organic law of the State.

That some of the features incorporated in the revised Constitution, were improvements, there can be but little doubt. It is not probable that another Convention will be authorized for many years. Yet, changes will be required from time to time, to adapt the provisions of the fundamental law to the progres-

sive improvements and spirit of the age. These changes may be effected by the separate submission of any proposed amendment.

That the compensation paid to the Judges of the State Courts and State Officers is too small, seems to me to admit of little question. The fact that the principal clerks in the State Offices, receive larger remuneration for their services, than the heads of the departments—the responsible officers—indicates clearly, the inadequacy of the present salaries.

“There are unquestionable indications that the salaries of the Judiciary are not such, as are sure to attract to places on the bench, those who are in all respects best qualified to fill them.” Many of the clerks employed in ordinary mercantile and other business establishments, receive larger compensation, than is paid to the Judges of our State Courts, and yet, as upon the Judiciary depends to a very great degree, the safety of the people and the strength of the State, it should be composed of men of the purest character, and the highest legal accomplishments. In my opinion, the salaries paid to our Judges are too small, and if continued as at present, will result in lowering the proper standard of the bench.

Among the provisions contained in the rejected Constitution, was one, to extend the right of suffrage to a class of citizens, who had been deprived of it because of their color. Impartial suffrage, or the right to vote without restrictions as to color, is exercised in about one-half of the States of the Union; in others, colored persons vote under certain restrictions. Although there are but few in our State, it seems to me, that justice requires that they should be enfranchised. Universal suffrage is one of the most potent influences for universal acquiescence in the laws.

I would respectfully recommend that two amendments of the Constitution, be submitted to the people at the next general election; one for such amendment of the ninth article, as would leave the salaries to be fixed by the Legislature. The second,

to strike out the word *white*, wherever it occurs in the Constitution.

I would commend to your consideration, the propriety of amending section No. 1976, of the Compiled Laws, so as to require all land grant railroad companies to report to the office of the Auditor General, the amount of lands reserved by them; number of acres confirmed to them, and the number of acres sold. Some other amendments might also be found advisable, as applicable to this class of railroad companies.

Some amendments seem to be required to Act No. 194, of 1867, to provide for the registration of births, marriages and deaths, to make it effective. Although the Secretary of State, in compliance with law, furnished full sets of blanks and books to the County Clerks and Supervisors, no returns have been received from many of the counties, and some of the returns, made are less full than is required. The value of the statistics, depends upon their completeness and accuracy.

Additional amendments are needed to the law of 1859, for the incorporation of Insurance Companies, and defining their powers and duties, as amended by Act No. 228, of 1867. For full information relative to the defects in these laws, I respectfully refer you to the Secretary of State, in whose Department they belong.

Of the various State Boards authorized by law, the Board of Auditors is the only one required to publish a report of its proceedings. Some of them, are not required by any provision of law, to report to the Legislature, or to any of the State authorities. It not unfrequently occurs, in the transaction of the business of the State, that reference must necessarily be made by one Department to the transactions of another, and for want of such reports, inconvenience is frequently experienced. I recommend the passage of an Act, requiring all State Boards to make annual or biennial reports.

After an interval of four years, the people of the United States, have again been called upon to elect, by their suffrages,

the Chief Magistrate of the Nation. With an unanimity rarely witnessed, they have called to the highest place in the gift of the American people, a man who owes his position to his own abilities, and to the recognition by a grateful people, of *services*, such as few men in the world's history, have been permitted to render to their country.

For four years our country was devastated by rebellion and civil war. The war had long been suppressed; the spirit of rebellion, strife and discord still existed. The people desired *peace*, and have intrusted the administration of the Government to one who is pledged to peace. Let us hope that the questions which have so long agitated and divided the country, are now to be settled forever! That peace, quietness and loyalty may be found in every part of the land!

SENATORS AND REPRESENTATIVES:

The people of the State have intrusted to you grave responsibilities; they have a right to expect in return such careful and well-matured legislation, as will tend to the development of the many and rich resources, not of any one section only, but of the whole State, and of all its great and varied interests.

It should however be borne in mind, that the tendency of the times and of legislation, has been to extravagance, to the lavish expenditure of the public money, and to the increase of the public debt.

It should not be forgotten, that the heavy expenditures and large indebtedness of the General Government, of States, and of communities, growing out of the late civil war, have imposed upon the people increased burdens and taxation, and furnish imperative reasons, for the practice of a rigid, but wise economy, in legislative expenditures and appropriations.

I need not assure you, that I fully appreciate the responsible duties devolving upon you, as representatives of the people, and of my earnest coöperation with you, in all that shall tend to the true interest and prosperity of the State.

HENRY P. BALDWIN.

EXECUTIVE CHAMBER, }  
Lansing, January 6, 1869. }

On motion of Mr. Ingersoll,

The House adjourned until to-morrow morning at 10 o'clock

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*Lansing, Saturday, January 9, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Sheldon.

Roll called: quorum present.

Absent at roll-call, Messrs. Ingersoll, Lane, Rowison, Sickels, R. B. Smith and Westover.

Mr. Cogshall asked and obtained leave of absence for Mr. Ingersoll, until Monday morning.

Mr. Yawkey asked and obtained leave of absence for Mr. Lane, until Monday morning.

Mr. Osborn asked and obtained leave of absence for Mr. Rowison, until Tuesday morning.

Mr. Holt asked and obtained leave of absence for Mr. R. B. Smith, until Monday morning.

Mr. Yawkey asked and obtained leave of absence for Mr. Westover, until Monday morning.

#### PRESENTATION OF PETITIONS.

By Mr. Ternes: petition of the drain commissioners of Wayne county, to extend the time for the collection of certain drainage taxes in Wayne county.

On motion of Mr. Ternes,

The petition was laid on the table.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 9, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed Eugene A. Sunderlin, of Ionia county, Assistant Clerk, pursuant to resolution of the House.

N. B. JONES, *Clerk.*

The Speaker also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed Merrill P. Sanford, of Wash-  
tenaw county, as messenger, pursuant to a resolution of the  
House.

N. B. JONES, *Clerk.*

The Speaker announced as the special committee to designate  
and recommend a reference to the proper standing committees,  
of the subjects embraced in the messages of the retiring and  
acting Governors, Messrs. Ingersoll, Mead, Slayton, Holt and  
McKernan.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 8, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following  
bill:

House manuscript bill, entitled

A bill for the approval of the official bonds of certain county  
officers, in the counties comprising the twelfth judicial circuit;

In the passage of which the Senate has concurred by a ma-  
jority vote of all the Senators elect, and has ordered the same  
to take immediate effect by a vote of two-thirds of all the  
Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and  
enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 8, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following  
concurrent resolution:



*Resolved*, (the Senate concurring,) That John Maine, of Barry county, be and he is hereby appointed Postmaster of the Senate and House, to distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day,

And to inform the House that the Senate has amended the same by striking out the words, "John Maine, of Barry county," and inserting in place thereof, the words, "Seward G. Jones, of Ingham county;"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Mead,

The House concurred in the amendment made by the Senate to the concurrent resolution.

#### NOTICES.

Mr. Huston gave notice that on some future day he would ask leave to introduce

Joint resolution providing for submitting an amendment of the Constitution of this State, to the electors, at the next general election, striking out the word "white," wherever it appears in said Constitution;

Also,

Joint resolution providing for submitting an amendment of the Constitution of this State, to the electors, at the next general election, increasing the salaries of the Supreme and Circuit Judges; also of the various State officers;

Also,

A bill to provide for the payment of the publishers of the various newspapers in the State, that printed the new Constitution, prior to the township meeting, in 1868;

Also,

A bill to change the name of the village of Centville, in the county of Tuscola, to Novesta;

Also,

A bill amending act No. 58, session laws of 1867, being an act to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court.

Mr. Wagner gave notice that on some future day he would ask leave to introduce

A bill to authorize school district number seven, of the township of Pennfield, in the county of Calhoun, to issue bonds for the building of a school-house.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 127, entitled an act to amend section 1, of act No. 216, of the session laws of 1861, entitled an act to provide for the drainage of swamps, marshes and other low lands.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1 and 3, of the "act to authorize certain persons to administer oaths and take acknowledgments of deeds and other instruments in writing," approved March twenty-seven, one thousand eight hundred and sixty-seven, being act number 145, of the session laws of 1867.

Mr. Cogshall gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Holly.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "an act to incorporate the city of Wyandotte," approved March 5, 1867.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill for the repeal of the law establishing the board of county auditors for the county of Wayne;

Also,

A bill to modify or repeal the law establishing the board of county drain commissioners for the county of Wayne;

Also,

A bill for the more perfect protection of cemeteries, monuments and tombstones.

Mr. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Mount Clemens.

Mr. Elliott gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 55, of the session laws of 1867, relative to County Superintendents of Schools, and to revive sections 85, 86, 87, 88, 89 and 91, of chapter 78, of the compiled laws.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

Joint resolution asking the Congress of the United States to make an appropriation for the further improvement of the harbor at the mouth of the Ontonagon river;

Also,

A bill to amend section thirty-four hundred and twelve, (3412,) of the compiled laws, relative to the holding of terms of court by circuit judges.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Mackinac;

Also,

A bill asking for an appropriation of swamp lands for the construction of a State road from Cross village, in the county of Emmet, to Cheboygan river, in the county of Cheboygan;

Also,

A bill to encourage immigration;

Also,

Joint resolution asking Congress for an appropriation for the

improvement of Mackinac harbor, and the construction of a light house, &c.;

Also,

Joint resolution asking Congress for an appropriation for the improvement of the navigation, and the construction of a harbor at the mouth of the Cheboygan river, on the Straits of Mackinac;

Also,

Joint resolution asking Congress for an immediate appropriation for the construction of a light house on Spectacle Reef, on Lake Huron;

Also,

A bill making an appropriation of swamp lands for the completion of the State road running from Alpena to Cheboygan.

Mr. Curry gave notice that on some future day he would ask leave to introduce

A bill asking for a reduction of tolls upon that part of the Genesee and Saginaw plank road lying in Genesee county.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill for the organization of the county of Wexford.

Mr. Duseau gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Vienna, to Erie, in the county of Monroe.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Kalamazoo.

Mr. Gay gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Howell.

Mr. L. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the appointment of trustees in certain cases, approved February 17, 1855.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill for the organization of Osceola county, and attaching thereto for municipal and judicial purposes, certain contiguous territory;

Also,

A bill for the construction of a bridge across the Muskegon river, at the northern terminus of the Greenville and Big Rapids State road, at Big Rapids, Mecosta county, and appropriating swamp lands for the same.

Mr. Blake gave notice that on some future day he would ask leave to introduce

A bill legalizing the tax rolls of the townships of Zeland, Blandon, Georgetown and Jamestown, in the county of Ottawa, for the year eighteen hundred and sixty-eight.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax rolls of the township of Adams, in the county of Houghton, for the years 1867 and 1868.

Mr. Ternes gave notice that on some future day he would ask leave to introduce

A bill respecting the collection of certain drain taxes in the townships of Dearborn, Taylor and Ecorse, in the county of Wayne, for the year 1868, and for the re-assessment thereof.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill asking for an appropriation of State swamp lands to aid in building of the Chesaning and Saginaw State road.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the township of Thornapple.

#### MOTIONS AND RESOLUTIONS.

Mr. Ward offered the following:

*Resolved*, (the Senate concurring,) That a joint committee,

consisting of three members of the House and two from the Senate, be appointed to inquire by what authority, if any, the so-called Detroit and Milwaukee railroad company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise, as to said authority, and also as to the general management of said road.

Laid on the table for one day under the rules.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

Mr. Barnaby offered the following:

*Resolved*, That each of the members of this House be allowed five dollars for stationery, and that the committee on supplies be requested to furnish the Speaker, Clerk, Enrolling and Engrossing Clerk, and the chairmen of standing and select committees, with such stationery as may be necessary for their use;

Which was adopted.

Mr. Sanford offered the following:

*Resolved*, That the Engrossing and Enrolling Clerk of the House, be authorized to appoint, when in his judgment, it shall become necessary, an Assistant Engrossing and Enrolling Clerk, at a compensation of \$3 per day;

Which was adopted.

Mr. Slayton offered the following:

*Resolved*, That the Secretary of State be respectfully requested to give this House the names of the newspapers in this State, which are entitled to compensation for publishing the new Constitution, and which have made due proof of such publication;

Which was adopted.

Mr. Horton offered the following:

*Resolved*, That all journals and refuse paper, accumulating in the House during the session, be preserved by the fireman, and placed under the charge of the committee on supplies;

Which was adopted.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Jan. 9, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following:

An act for the approval of the official bonds of certain county officers, in the counties composing the twelfth judicial circuit.

HENRY P. BALDWIN.

The message was laid on the table.

Mr. Slayton offered the following:

*Resolved*, That the State Treasurer be respectfully requested to inform this House of the amount of money drawn from the Treasury and expended under section 6, of act No. 118, of volume 1st, of the laws of 1867, for the constitutional convention;

Which was adopted.

On motion of Mr. Ward,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, January 11, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent without leave, Messrs. Beall, O. Clark, Gay, Mitchell, F. L. Smith and Walton.

Mr. J. A. Williams asked and obtained leave of absence for Mr. Beall, until Tuesday morning.

Mr. Fuller asked and obtained leave of absence for Mr. Mitchell, until Tuesday morning.

Mr. Sheldon, asked and obtained leave of absence for Mr. O. Clark, until Tuesday morning.



Mr. Lee asked and obtained leave of absence for Mr. Gay, until Tuesday morning.

The Speaker announced the appointment of the following

STANDING COMMITTEES OF THE HOUSE:

*Ways and Means*—Messrs. Holt, Stockbridge, Rowison, B. B. Smith, Wendell.

*State Affairs*—Messrs. Ingersoll, Swift, Lovell, Davis, W. D. Williams.

*Judiciary*—Messrs. Mead, Slayton, Huston, Plimpton, Kingsley.

*Harbors*—Messrs. Norton, Snell, H. G. Williams, Seward, Miles.

*Elections*—Messrs. Crossman, Millington, Putnam, Cogahall, Romeyn.

*Federal Relations*—Messrs. Swift, Elliott, J. A. Williams, Vowles, Miles.

*Banks and Incorporations*—Messrs. Slayton, Crossman, Baxter, Osborn, Purcell.

*Public Lands*—Messrs. Huston, Yawkey, Mitchell, Grant, McKernan.

*Printing*—Messrs. Rowison, Ingersoll, Hunt, Ternes, O. Clark.

*Agriculture*—Messrs. Lovell, Barnaby, Hutchinson, Sickels, Hubbard.

*Towns and Counties*—Messrs. Beall, Crane, Eck, Westover, F. G. Kendrick.

*Education*—Messrs. Baxter, Thompson, J. A. Williams, Sanford, Gay.

*Rules and Joint Rules*—Messrs. Elliott, Crossman, Mead, Ingersoll, Dusseau.

*Engrossment and Enrollment*—Messrs. Mason, Fuller, Horton, Sheldon, White.

*Roads and Bridges*—Messrs. Shier, Walker, Blake, Murray, W. D. Williams.

*Agricultural College*—Messrs. Sanford, Putnam, Jewell, Hunt,

Harris,



*Asylum for the Insane*—Messrs. Mandigo, Avery, Walton, Cameron, Dussseau.

*Asylum for the Deaf, Dumb and Blind*—Messrs. Thompson, Crane, Goodrich, Brownell, Cogshall.

*Reform School*—Messrs. Ward, Mason, Ashley, Millington, Woodward.

*Geological Survey*—Messrs. McKernan, Mead, G. G. Briggs, Mandigo, Riopelle.

*Military Affairs*—G. G. Briggs, Gifford, Boynton, Seward, Romeyn.

*Salines*—Messrs. Yawkey, Snell, Miller, Hartson, Miles.

*State Prison*—Messrs. Stockbridge, Shaw, Vowles, Norton, Wilcox.

*Mines and Minerals*—Messrs. H. G. Williams, Lane, Crawford, McKernan, W. D. Williams.

*Manufactures*—Messrs. Cameron, McCowen, Beall, Eck, Purcell.

*Lumber Interests*—Messrs. Fenner, Fancher, Yawkey, Weier, Riopelle.

*Religious and Benevolent Societies*—Messrs. Ashley, Fenner, B. Clark, L. Kendrick, Kingale.

*Insurance*—Messrs. Boynton, Curry, Jewell, Plimpton, F. L. Smith.

*Local Taxation*—Messrs. Hurlbut, Shier, Avery, Grant, R. V. Briggs.

*Immigration*—Messrs. Fancher, L. Kendrick, Wagner, H. G. Williams, Klein.

*Fisheries*—Messrs. Wendell, Westover, Blake, Riford, Stewart.

*Internal Improvements*—Messrs. R. B. Smith, Bostwick, Fuller, Hurlbut, Riford, Lee, Eaton.

*Supplies and Expenditures*—Messrs. Murray, Stannard, Brownell.

*State Library*—Messrs. Stannard, Swift, Stewart.

*Indian Affairs*—Messrs. Mitchell, Crawford, Wendell.

## PRESENTATION OF PETITIONS.

By Mr. Hutchinson: preamble and resolutions of the board of supervisors of Calhoun county, asking the passage of a law to exempt certain townships in said county from the payment of delinquent taxes on part paid swamp lands.

Referred to the committee on public lands.

By Mr. Huston: petition of Orlando Newman, of Iosco county, claiming the seat now occupied in this House by Isaac Fancher.

Referred to the committee on elections.

By Mr. Yawkey: petition of 387 citizens of Saginaw county, asking for an appropriation of State swamp lands to aid in building the Chesaning and Saginaw State road.

Referred to the committee on public lands.

By Mr. Grant: petition of the township board of the township of Thornapple, to extend the time of collecting the taxes in said township.

Referred to the committee on local taxation.

By Mr. Romeyn: petition of E. B. Smith and others, of Detroit and vicinity, for authorizing the issue of bonds, and levying taxes by cities and towns on the line of the proposed railroad from Detroit to Lansing, in aid of the construction of the same.

Referred to the committee on internal improvements.

By Mr. Grant: petition of the citizens of the village of Hastings, to amend the charter of said village.

Referred to the committee on banks and incorporations.

## NOTICES.

Mr. Miles gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 266, of the session laws of 1865, entitled "An act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron, to some point on the line of the Detroit & Milwaukee Railroad, in Shiawassee county;"

Also,

A bill to repeal act No. 141, session laws of 1859, and to re-vive section one, of chapter forty-six, of the revised statutes, (compiled laws, section 1599;)

Also,

A bill to amend the charter of the city of Port Huron, and acts amendatory thereto;

Also,

Joint resolution providing for a joint committee on new State house and other capital buildings;

Also,

A bill to establish the number of hours which shall constitute a day's work or labor.

Mr. G. G. Briggs gave notice that on some future day he would ask leave to introduce

A bill to regulate the sale of patent rights in the State of Michigan, and to prevent frauds in such sales.

Mr. Millington gave notice that on some future day he would ask leave to introduce

A bill for the punishment of trespass upon cranberry marshes.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill for the protection of buoys and beacons;

Also,

A bill to amend act No. 32, of session laws of 1858, relative to the assessment and collection of taxes.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 100, of the session laws of 1855, the same being "An act to amend an act entitled an act for the government of the State University," approved April 8, 1851.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to extend aid to the

University of Michigan," being act No. 59, of the session laws of 1867.

Mr. Stewart gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund money raised by subscription to pay bounties.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section seven, of act No. 160, of the session laws of eighteen hundred and sixty-one, relative to proceedings against garnishees and for other purposes, approved March 15, 1861.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to equalize State bounties paid to volunteer soldiers who enlisted in the United States service during the year 1864.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to the testing of process from courts of record.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Rochester.

Mr. Fenner gave notice that on some future day he would ask leave to introduce

A bill requiring the non-resident tax in the several counties, to be paid at the county treasurer's office in each county wherein said lands are situated.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill asking for an appropriation of swamp lands, for the construction of a State road from a point in township 17 north, range 10 west, on the north line of Mecosta county, to Grand Traverse Bay;

Also,

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868.

Mr. Sanford gave notice that on some future day he would ask leave to introduce

A bill to amend act 49, of session laws of 1864, entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston, to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by act of the Legislature, approved March 21st, 1865.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the inspection of lumber, being act 115, session laws 1855, approved February 12, 1855;

Also,

A bill asking for an appropriation of State swamp lands, to aid in the construction of a State swamp land road from Bridgeport Centre, to some point on Flint river, Saginaw county.

Mr. Vowles gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Milford, in the township of Milford, county of Oakland, State of Michigan.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 59, session laws 1867, the same being "An act to extend aid to the University of Michigan."

Mr. Gifford gave notice that on some future day he would ask leave to introduce

A bill for the re-submission of the draft of a State constitution framed in 1867, at Lansing, and also for the separate

submission of the negro suffrage and salary clauses of said constitution.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, and an act amendatory thereof, approved February 27, 1867.

Mr. Snell gave notice that on some future day he would ask leave to introduce

A bill to encourage immigration into the State of Michigan;  
Also,

A bill to amend section 335, chapter 10 of the compiled laws, relative to the day of the annual meeting of county boards of supervisors.

Mr. Brownell gave notice that on some future day he would ask leave to introduce

A bill to regulate and prescribe the fees of supervisors.

#### INTRODUCTION OF BILLS.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax rolls of the township of Adams, in the county of Houghton, for the years 1867 and 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Huston, previous notice having been given, and leave being granted, introduced

Joint resolution proposing amendments to sections three and four, article four, section one, article seven, and section one, article seventeen, of the constitution of Michigan, in relation respectively to the apportionment of representatives, to the qualification of electors, and militia.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grant, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Thornapple, in the county of Barry, for the year eighteen hundred and sixty-eight.

The bill was read a first and second time by its title, and referred to committee on local taxation.

Mr. W. D. Williams, previous notice having been given, and leave being granted, introduced

A bill to amend section two of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8th, 1851, being section 3412 of the compiled laws, relative to the holding of terms of courts by circuit judges.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Holt offered the following:

*Whereas*, It appears by the report of the State Treasurer, that some of the banks of this State have failed to pay the specific tax imposed by the Legislature in A. D. 1867; therefore

*Be it Resolved*, That the State Treasurer be and hereby is directed to report to this House, without delay—

1st. The names of all banks in this State that have paid all of the tax due to January 1, 1869, with the amount paid by each;

2d. The names of all banks that have paid a part of said tax, specifying the amount paid by each, and the amount remaining unpaid by each, on the 1st day of January, A. D. 1869;

3d. The names of all banks that have not paid any part of said tax, with the amount due from each;

Which was adopted.

Mr. Plimpton offered the following:

*Resolved*, That 1,000 copies of the message of the retiring and acting Governors be printed in the English language, 1,000 in the German language, 400 in the French language, and 500 in the Holland language, to be equally distributed among the members and officers of the House.

Mr. Slayton moved to refer the resolution to the committee on printing;

Which motion prevailed.

Mr. Plimpton also offered the following:

*Resolved*, That the chairman of the committee on the judiciary be and he is hereby authorized to appoint a clerk for said committee, whenever he shall deem the services of such clerk necessary, at a compensation of three dollars per day;

Which was adopted.

Mr. Slayton offered the following:

*Resolved*, That the Clerk be instructed to furnish to the chairmen of all committees, blank notices for meetings of committees;•

Which was adopted.

Mr. McKernan offered the following :

*Resolved*, That the committee on supplies furnish a post office scales, for the use of the officers and members of this House;

Which was adopted.

#### UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved*, (the Senate concurring,) That a joint committee, consisting of three members of the House and two from the Senate, be appointed to inquire by what authority, if any, the so-called Detroit and Milwaukee railroad company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise, as to said authority, and also as to the general management of said road;

Mr. Crossman moved to amend the resolution by striking out the word "three," and inserting the word "five," and by striking out the word "two," and inserting the word "three;"

Which motion prevailed.

The resolution, as amended, was then adopted.



## COMMUNICATIONS FROM STATE OFFICERS.

By unanimous consent, the Speaker announced the following:

STATE TREASURER'S OFFICE, }  
Lansing, Jan. 11, 1869. }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives*:

SIR—In compliance with a resolution of the House, adopted on the 9th inst., requesting me “to inform the House of the amount of money drawn under section 6, of act No. 118, volume 1st, laws of 1867, for the Constitutional Convention,” I have the honor to state that there has been drawn from the treasury, in pursuance of said act, the sum of seventy-seven thousand eight hundred and sixty-nine dollars and forty-six cents, (\$77,869 46-100.)

Very Respectfully,

E. O. GROSVENOR,

*State Treasurer.*

The communication was laid on the table.

On motion of Mr. Plimpton,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Tuesday, January 12, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Sheldon.

Roll called: quorum present.

Absent without leave: Messrs. Holt, Norton, Purcell and Seward.

Mr. Blake asked and obtained leave of absence for Mr. Norton, until Friday morning.

Mr. Sanford asked and obtained leave of absence for Mr. Holt, until to-morrow morning.

Mr. Swift asked and obtained leave of absence for Mr. Seward, for an indefinite time, on account of sickness in his family.

Mr. R. V. Briggs asked and obtained leave of absence for Mr. Purcell, until Thursday morning.

Mr. Cogshall announced that the Hon. Darwin O. White, member elect from the fourth district of Oakland county, was present, and desired to take his seat.

Mr. White came forward, presented his credentials, and after having sworn and subscribed to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker announced the following:

SAVINGS' FUND INSTITUTE, }  
 Detroit, Jan. 9, 1869. }

SIR—As required by its charter, I have the honor to transmit herewith, a statement of the condition of this office, on the 31st of December last.

Very Respectfully,

Your Ob't Serv't,

A. H. ADAMS.

*To the Speaker of the House of Representatives.*

*Condition of the Detroit Savings' Fund Institute, Dec. 31, 1868.*

LIABILITIES:

|  |              |                      |
|--|--------------|----------------------|
| To depositors,.....                                    | \$994,604 29 |                      |
| Surplus means held for security of<br>depositors,..... | 103,146 51   |                      |
|  |              | <hr/> \$1,097,750 80 |

MEANS.

|   |              |
|---|--------------|
| Bills discounted,....   | \$361,497 07 |
| Mortgages, lands in<br>city of Detroit and<br>Wayne Co.,..... | 224,462 37   |

BONDS.

|   |                    |
|---|--------------------|
| United States,.....                       | \$ 86,700 00       |
| State of Michigan...                      | 52,000 00          |
| County of Wayne,...                       | 22,700 00          |
| City of Detroit,.....                     | 10,900 00          |
| N. Y. Central Park,..                     | 4,700 00           |
| State of Missouri,....                    | 1,610 00           |
| Detroit & Milwaukee<br>Railroad Co.,..... | 1,275 50           |
|   | <hr/> \$180,485 50 |

|                                  |              |
|----------------------------------|--------------|
| Revenue stamps on hand,.....     | 399 20       |
| Office furniture, and safe,..... | \$1,325 17   |
| Bills in transit,.....           | 1,236 60     |
|                                  | <hr/>        |
|                                  | \$769,405 91 |

## CASH.

|                          |                       |
|--------------------------|-----------------------|
| On deposit, N. Y.,... \$ | 87,009 00             |
| “ Boston,...             | 7,584 81              |
| “ Cleveland,             | 4,888 71              |
|                          | <hr/>                 |
|                          | \$ 99,432 52          |
| On hand,.....            | 228,912 37            |
|                          | <hr/>                 |
|                          | \$328,344 89          |
|                          | <hr/>                 |
|                          | <u>\$1,097,750 80</u> |

STATE OF MICHIGAN, }  
COUNTY OF WAYNE, } ss.

Alexander H. Adams, of said county, being duly sworn, says that he is the cashier of the Detroit Savings' Fund Institute; that the foregoing statement of the condition of said Institute is true and correct.

A. H. ADAMS.

Sworn and subscribed before me, this 9th day of January, 1869.

[L. s.]

MARCUS F. DOW,

*Notary Public, Wayne county, Michigan.*

The communication was laid on the table.

## PRESENTATION OF PETITIONS.

By Mr. Barnaby: petition for appropriating the non-resident highway tax, two miles each side of the line between townships eleven and twelve north, range one west, and eleven and twelve north, range two west, in the county of Gratiot, and State of Michigan, to the opening and improving a highway on such line.

Referred to the committee on roads and bridges.

By Mr. Mead: petition of E. W. Meddaugh and 58 others, members of the Detroit bar, praying for the passage of a law providing for the appointment of a stenographer for the Wayne

county circuit court, and the recorder's court of the city of Detroit.

Referred to the committee on the judiciary.

By Mr. Blake: petition of the board of supervisors of Ottawa county, to legalize the tax rolls of certain townships in said county for the year 1868.

Referred to the committee on local taxation.

By Mr. Huston: petition of T. North, H. P. Atwood, and 84 other citizens and tax-payers of Tuscola county, asking for the repeal of the drainage laws, or the amendment of the same.

Referred to the committee on State affairs.

By Mr. Huston: petition of Hon. C. C. Stoddard and 9 others, tax-payers of Fairgrove, Tuscola county, asking to have the time extended for collecting certain ditch taxes.

Referred to the committee on local taxation.

By Mr. Huston: petition of John Fitzpatrick, Amzie Clay, and 16 others, tax-payers of the town of Fairgrove, Tuscola county, asking to have the time extended for collecting the tax of the Sebewaing road ditch.

Referred to the committee on local taxation.

By Mr. Huston: petition of J. C. Laing and 9 others, asking for an appropriation of one section of swamp land for the purpose of covering a bridge across Cass river, at Cass City, Tuscola county.

Referred to the committee on public lands.

By Mr. Fenner: petition of one hundred and fifty-two citizens of Sanilac county, asking for an appropriation of State swamp lands to aid in the construction of a ditch in the township of Elk, in Sanilac county.

Referred to the committee on public lands.

By Mr. Mitchell: petition of W. H. Bartlett and 64 others, citizens of the township of Mayfield, Grand Traverse county, asking for the repeal of the act entitled "An act appropriating non-resident-highway taxes for the construction and improvement of State roads," passed by the Legislature of 1867, and approved March 27th of that year, said laws being found upon

pages 964-7 of the second volume of the session laws of 1867, so far as it applies to the township of Mayfield, county aforesaid;

Also: petition of J. W. Spaulding, E. J. Hopkins, and forty-nine others, citizens of the township of Grant, Grand Traverse county, for the same purpose;

Also: petition of Abram Adsit, Thos. H. Clyde, and 64 others, resident citizens of the township of Blair, Grand Traverse county, for the same purpose;

Also: petition of A. B. Crittenden and 35 others, citizens of the township of Platt, county of Benzie, for the same purpose;

Also: petition of Lewis Cornell, Wm. Grove, and 89 others, citizens of the township of Wexford, county of Wexford, for the same purpose;

Also: petition of J. W. Russell and 45 others, citizens of the township of Long Lake, county of Grand Traverse, for the same purpose;

Referred to the committee on roads and bridges.

By Mr. Mitchell: petition of E. Luther Gay and 41 others, asking for the organization of Wexford county into townships;

Also: petition of Isaac W. Carpenter and 47 others, asking for the establishment of the county seat of Wexford county, at or near what is known as Manistee bridge;

Also: petition of Lewis Cornell and 90 others, asking for the organization of the county of Wexford; also for the unorganized county of Missaukee to be attached to said county for municipal and judicial purposes.

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Adams, in the county of Houghton, for the years 1867 and 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. W. D. Williams,

The rules were suspended, and the bill was placed on the order of third reading.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of taxes in the township of Thornapple, in the county of Barry, for the year eighteen hundred and sixty-eight;

Also,

A petition of the township board of said township, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The rules were suspended, and the bill was placed on the order of third reading.

#### REPORTS OF SELECT COMMITTEES.

By the select committee, to whom was referred the message of the retiring Governor, and the inaugural message of the present Executive:

The select committee, to whom was referred the message of the retiring Governor, and the inaugural message of the present Executive, respectfully report that they have had the same

under consideration, and have directed me to recommend that the several subjects therein embraced, be referred as follows:

So much thereof as relates to finance, to the committee on ways and means;

So much thereof as relates to education, Normal School, and University, to the committee on education;

So much thereof as relates to the Agricultural College, to the committee on Agricultural College;

So much as relates to the education of the deaf, dumb and blind, to the committee on the Asylum for the Deaf, Dumb and Blind;

So much as relates to the Asylum for the Insane, to the committee on the Asylum for the Insane;

So much as relates to the Reform School, to the committee on Reform School;

So much as relates to the State Prison, to the committee on the State Prison;

So much as relates to the appointment of a commissioner, empowered to consider the question of discipline pertaining to the various punitive and reformatory institutions of the State, to the committee on State affairs;

So much as relates to the soldiers' relief fund, to the committee on ways and means;

So much as relates to wagon roads, to the committee on roads and bridges;

So much as relates to the military, to the committee on military affairs;

So much as relates to immigration, to the committee on immigration;

So much as relates to the reconveyance of lands to the United States, to the committee on the judiciary;

So much as relates to swamp lands and roads, to the committee on public lands;

So much as relates to the Soldiers' Home, to the committee on State affairs;

So much as relates to the Antietam National Cemetery, to the committee on federal relations;

So much as relates to the Portage Lake and Lake Superior ship canal, to the committee on internal improvements;

So much as relates to the Sault Ste. Marie ship canal, to the committee on internal improvements;

So much as relates to the mining interests of the Northern Peninsula, to the committee on mines and minerals;

So much as relates to manufactures, to the committee on manufactures;

So much as relates to a geological survey, to the committee on geological survey;

So much as relates to the taxation of National banks, to the committee on ways and means;

So much as relates to amending the constitution, relative to the compensation paid to judges of our State courts, to the committee on the judiciary;

So much as relates to amending the constitution in favor of impartial suffrage, to the committee on State affairs;

So much as relates to amending the law relative to the reports of Railroad companies, to the committee on banks and incorporations;

So much as relates to amending the law relative to the registration of births, marriages, and deaths, to the committee on the judiciary;

So much as relates to amending the laws relative to Insurance Companies, to the committee on insurance;

So much as relates to the subject of requiring the various State Boards to publish a report of their proceedings, to the committee on State affairs;

So much as relates to national affairs, to the committee on federal relations.

All of which is respectfully submitted.

JOHN N. INGERSOLL,

*Chairman.*

Report accepted and committee discharged.



On motion of Mr. Mead,

The House concurred in the recommendations of the committee.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Jan. 12, 1869. }

To the House of Representatives:

I have received from his Excellency, the Governor of Vermont, joint resolutions relating to navigation between the United States and Canada. Said resolutions having been adopted by the Legislature of that State.

I have also received from the Governors of Wisconsin, Iowa, Minnesota and Missouri,

A memorial to Congress for the improvement of the Wisconsin and Fox rivers,

With the request that said papers should be laid before the Legislature of this State.

I herewith transmit the joint resolutions and memorial, with the accompanying papers, for the consideration of the Legislature.

HENRY P. BALDWIN.

The following are the documents referred to in the message:

JOINT RESOLUTION relating to navigation between the United States and Canada.

Whereas, The rapidly increasing commerce between the Eastern States and the Northwest is calling for more ample and cheaper transportation;

And whereas, Also, certain mutual privileges are now enjoyed by both Canada and the United States, touching navigation and transportation, which ought, on the part of the two countries, to be matured into rights; therefore,

Resolved, by the Senate and Houses of Representatives, That if, by treaty or otherwise, the free navigation of Canadian waters and the use of the Canadian canals, by the shipping of

the United States, upon the same terms as by Canadian and British shipping, and the free transit by land of American merchandise across Canadian territory, can be secured in exchange for like privileges to Canadian shipping in our waters, and British and Canadian merchandise over our soil, our Senators and Representatives in Congress are urged to use their influence to bring about such an arrangement; and in such negotiation to secure, if possible, the construction of a ship canal, connecting the St. Lawrence with Lake Champlain; and that our Government, in case the State of New York will consent thereto, offer, in exchange therefor, to enlarge the Champlain canal to the same proportions as that which shall connect the St. Lawrence and Lake Champlain, and allow the use thereof upon the same terms as are imposed upon American shipping.

*Resolved*, That the Governor of this State be and is hereby requested to transmit copies of this joint resolution to the Governors of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, and Iowa; also copies thereof, to the Governor-General of Canada, and the President of the United States.

GEORGE W. GRANDEY,

*Speaker of the House of Representatives.*

STEPHEN THOMAS,

*President of the Senate.*

STATE OF VERMONT, }  
OFFICE OF SECRETARY OF STATE. }

I hereby certify that the foregoing is a true copy of a joint resolution, adopted by the General Assembly, at its annual session, A. D. 1868, as appears from the files in this office.

In witness whereof, I hereunto subscribe my name and affix the seal of this office, at Northfield, this first day of [SEAL.] December, A. D. 1868.

GEORGE NICHOLS,

*Secretary of State.*

STATE OF VERMONT, }  
EXECUTIVE DEPARTMENT, }  
*Rutland, December 19, 1868.* }

DEAR SIR—I have the honor to transmit herewith a copy of resolutions passed at the recent session of our Legislature.

The securing of the "rights" mentioned in the resolutions, and the construction of the canal is of great importance to all the territory from tide water at the East, to that bordering upon and tributary to the Northern Lakes.

The contemplated canal is twenty-six miles in length, with a summit to be attained of twenty-five feet, and can be constructed at an expense of about \$3,000,000.

The connecting of the waters of the St. Lawrence and Lake Champlain by a ship canal, will open a new and desirable route to the great trade which passes between tide water in the Hudson River and the Western Lakes, allowing vessels to load at any of the lake ports, and pass into Lake Champlain, without breaking bulk; with the enlarged Champlain canal they may land their cargoes on the wharves of New York.

Commending the subject of the resolutions to your favorable action,

I am respectfully,

Your ob't serv't,

JOHN B. PAGE

*His Excellency HENRY H. CRAPO, Lansing, Michigan.*

EXECUTIVE OFFICE, }  
*Madison, December 23, 1868.* }

*His Excellency HENRY H. CRAPO, Governor of the State of Michigan:*

GOVERNOR—Herewith we forward to you a copy of a Memorial to Congress, by the Convention which met at Prairie du Chien, in Wisconsin, on the 10th day of November, A. D. 1868, to mature measures to impress upon Congress the necessity of making immediate and sufficient appropriation to secure the improvement of the navigation of the Fox and Wisconsin Rivers.

We request that the same be laid before the Legislature of your State, and that by you the Legislature be requested to concur in the memorial, and to adopt such practical measures as they shall deem proper to effect the object desired; and that they take early and favorable action thereon.

Very respectfully,

Your obedient servants,

LUCIUS FAIRCHILD,

*Governor of Wisconsin.*

SAMUEL MERRILL,

*Governor of Iowa.*

WILLIAM R. MARSHALL,

*Governor of Minnesota.*

THOMAS C. FLETCHER,

*Governor of Missouri.*

*To the Honorable the Senate and House of Representatives of the United States, in Congress assembled:*

The memorial of the Legislature of ———, respectfully represents:

That the project of connecting the Mississippi river and lake Michigan by navigable channels through the Wisconsin and Fox rivers, appears to your memorialists to be one of great importance to the country, and that in the prayer of the memorial in relation thereto, submitted to Congress by the convention which met at Prairie du Chien, in Wisconsin, on the 10th day of November, A. D. 1868, your memorialists most fully concur; be it therefore

*Resolved*, By the Senate of ———, the Assembly concurring, that the Governor be, and he is hereby authorized and requested, to affix his official signature hereto, and forward a copy of this memorial to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives in the Congress of the United States.

The message, together with the accompanying documents, were referred to the committee on Federal relations.

## COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

SECRETARY'S OFFICE,  
*Lansing, Jan. 11, 1869.* }

HON. J. J. WOODMAN, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution adopted by the House, on the 9th inst., I send herewith the names of the newspapers in the State, which have filed accounts in this department for publishing the constitution of 1867:

Port Huron Commercial,  
Tuscola County Pioneer,  
Detroit Daily Union,  
The Stoompost,  
Pontiac Jacksonian,  
Lowell Weekly Journal,  
Holly Register.

Very respectfully,

SAM'L H. ROW,  
*Deputy Secretary of State.*

On motion of Mr. Cogshall,

The communication was referred to the committee on State affairs.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, Jan. 11, 1869.* }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to extend the boundaries, and to grant a new charter to the village of Quincy;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take effect from and after the 2d day of

March next, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

NOTICES.

Mr. Hutchinson gave notice that on some future day he would ask leave to introduce

Joint resolutions providing for submitting an amendment of the Constitution of this State, to the electors at the next general election, by striking out the word "April," and inserting the word "March," so as to have township meetings the first Monday of March.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to regulate the size of dry or packing barrels for fruits and vegetables.

Mr. Westover gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of Bay City, and acts amendatory thereto;

Also,

A bill granting authority to the counties of Bay, Saginaw, Tuscola, Genesee, Lapeer, Oakland, Macomb and Wayne, to aid in the construction of a railway from the city of Detroit, in the county of Wayne, to Bay City, in the county of Bay.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Saginaw, in the county of Saginaw, for the year eighteen hundred and sixty-eight.

Mr. Rowson gave notice that on some future day he would ask leave to introduce

A bill to create a new charter for the village of Hillsdale, and to enlarge the boundaries thereof.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to repeal the act entitled "An act appropriating certain non-resident highway taxes, for the improvement of the Newaygo and Northport State road," passed by the Legislature of 1867, approved March 27th of that year, and found upon pages 964-67 of the 2d volume of the session laws of 1867.

Mr. L. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to change the mode of appointment or election of county superintendents of the poor, and make the same elective by the people.

Mr. Barnaby gave notice that on some future day he would ask leave to introduce

A bill authorizing the counties of Clinton, Gratiot and Isabella, and also the corporations in said counties, to levy a tax to aid in laying out and constructing a railroad from the city of Lansing, via St. Johns, in Clinton county, and Ithaca, Gratiot county, to Mount Pleasant, Isabella county, thence north, to some point on the line of the Flint & Pere Marquette railroad;

Also,

A bill asking for an appropriation of swamp lands for the completion of the State road running from Ithaca, Gratiot county, to St. Charles, in Saginaw county.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill authorizing circuit courts sitting in chancery, to refer causes pending in chancery, to special commissioners.

Mr. Sheldon gave notice that on some future day he would ask leave to introduce

A bill to amend act number 273, session laws of 1865, relative to the payment of taxes to township treasurers.

Mr. Pancher gave notice that on some future day he would ask leave to introduce

A bill to amend the State homestead law;

Also,

A bill to abolish the distinction between the law and equity courts in this State;

Also,

A bill for the laying out and establishing a State road commencing at Mount Pleasant, in Isabella county, and running north till it intersects the Midland and Grand Traverse State road, and will ask an appropriation of State swamp land to aid in the construction of the same.

Mr. Harris gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 163, of the session laws of 1867, relative to mechanics and other laborers.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to change the name of Charles Mosely to Charles M. Fuller.

Mr. Ward gave notice that on some future day he would ask leave to introduce

A bill to provide for an appropriation of 200,000 acres of swamp land for the endowment of a College of Homeopathy, Hydropathy and Eclecticism, to be located as near Ann Arbor as the Regents of the University will permit.

Mr. Cogshall gave notice that on some future day he would ask leave to introduce

A bill to amend section 5654 of the compiled laws, in relation to fees of jurors in justice courts, and in special cases.

Mr. Avery gave notice that on some future day he would ask leave to introduce

A bill to authorize the several townships in the counties of Ionia, Montcalm and Kent to pledge their credit to aid in the construction of the Marshall and Greenville railroad;

Also,



A bill to authorize school district number one, of the township of Eureka, Montcalm county, to issue bonds to complete the school-house in said district;

Also,

A bill to legalize and confirm the action of the township of Eureka, in Montcalm county, in voting a tax to aid in the construction of the Marshall and Greenville railroad.

Mr. Osborn gave notice that on some future day he would ask leave to introduce

A bill to amend section one of an act entitled an act to incorporate the public schools of the village of Hudson.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill providing for registration of electors in new townships.

Mr. Hurlbut gave notice that on some future day he would ask leave to introduce

A bill authorizing certain townships of Van Buren county, to pledge their credit, and raise money by tax, to aid in the construction of a railroad from Paw Paw to the mouth of South Black river, in said county.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 345, session laws of 1865, being an act to provide for the drainage and reclamation of swamp lands, by means of a road, to be known as the Cass River and Bay City State road;

Also,

A bill to amend act No. 143, of laws of 1865, being an act to provide for the drainage and reclamation of swamp lands, by means of a road, to be known as the Tuscola and Saginaw Bay State road;

Also,

A bill to extend the time for the collection of certain ditch taxes in the town of Fairgrove, Tuscola county.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

A bill appropriating swamp lands for the construction of a State road from Little Traverse Bay, in Emmet county, to the Cheboygan river, in Cheboygan county;

Also,

Joint resolution urging Congress for an appropriation for the construction of a ship canal around the Falls of Niagara;

Also,

Joint resolution asking Congress to grant the same privileges and adopt the same liberal policy towards the railroad companies of northern Michigan as they have to the Pacific ocean railroad companies;

Also,

Joint resolution asking Congress for an appropriation for improving the Lake George channel in the St. Marie river, and also the deepening of the St. Marie Falls ship canal;

Also,

Joint resolution asking Congress for a grant of lands for the construction of a railroad from the Straits of Mackinaw, to Marquette, on Lake Superior.

Mr. Lovell gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 185, of session laws of 1867, being an act to prevent animals from running at large in the public highways.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to amend that part of section 107, No. 34, of session laws of 1867, that relates to apportionment of two mill tax, being an act to amend section 2350 compiled laws.

## INTRODUCTION OF BILLS.

Mr. G. G. Briggs, previous notice having been given, and leave being granted, introduced

A bill to regulate the sale of patent rights in the State of Michigan, and to prevent frauds in such sales.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Sanford, previous notice having been given, and leave being granted, introduced

A bill to amend act 49, of the session laws of 1864, entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by an act of the Legislature approved March 21st, 1865.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 266, session laws of 1865, entitled "An act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee, and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron, in the county of St. Clair, to some point on the line of the Detroit & Milwaukee railroad, in Shiawassee county."

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section 43, of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, and an act amendatory thereof, approved February 27, 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Huston, previous notice having been given, and leave being granted, introduced

Joint resolution proposing amendments to section 1, article 9, of the constitution of Michigan, in relation to the salaries of State officers, judges of the Supreme and circuit courts.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Blake, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax rolls of the townships of Zeland, Blendon, Georgetown, and Jamestown, in the county of Ottawa, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction and management of water works in the village of Marquette.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. W. D. Williams, previous notice having been given, and leave being granted, introduced

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing process from courts of record.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Wagner, previous notice having been given, and leave being granted, introduced

A bill to authorize school district No. 7, of the township of Penfield, in the county of Calhoun, to issue bonds for the building of a school-house.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Dusseau, previous notice having been given, and leave being granted, introduced

A bill to change the name of the village of Vienna to Erie, in the county of Monroe.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ternes, previous notice having been given, and leave being granted, introduced

A bill respecting the collection of certain drain taxes in the townships of Dearborn, Taylor and Ecorse, in the county of Wayne, for the year 1868, and for the re-assessment thereof.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to amend section 7, of act number 160, of the session laws of 1861, relative to proceedings against garnishees and for other purposes, approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Adams, in the county of Houghton, for the years 1867 and 1868,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. W. D. Williams,

The further consideration of the bill was postponed until Saturday, the 16th inst.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Thornapple, in the county of Barry, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fancher,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,

Mr. Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,

Mr. Rowlson,  
Sanford,  
Shaw,  
Sheldon,  
Shier,  
Slayton,  
F. L. Smith,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

91

## NAYS.

0

Title agreed to.

On motion of Mr. Mead,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Sanford offered the following:

*Resolved*, That the Clerk of the House be directed to have printed 300 copies of the list of the standing committees of the House;

Which was adopted.

Mr. Horton offered the following:

*Resolved*, (the Senate concurring,) That a joint committee, consisting of two from the House, and one from the Senate, be appointed to communicate with the postmasters at Owosso, Lansing and Jackson, and the officers of the Jackson, Lansing and Saginaw railroad, for the purpose of the more speedy transmission of mails to and from this point, during the present session of the Legislature.

On motion of Mr. Cogshall,

The rule requiring concurrent resolutions to lie on the table one day was suspended, and the resolution was adopted.

Mr. Lee offered the following:

*Resolved*, (the Senate concurring,) That the Attorney General of this State be instructed to proceed to collect the claim known as the Phoenix bank claim and Hazelton claim, and that he have authority to employ counsel, should it be necessary.

Laid on the table one day, under the rules.

Mr. Baxter offered the following:

*Resolved*, That a special committee of five be appointed, as a committee on ditches and drainage;

Which was adopted.

Mr. Dusseau offered the following:

*Resolved*, That the Clerk of the House cause a copy of the daily journal to be sent to each of the newspapers in the State, during the present session; also, a copy to each County Clerk, and to our Senators and Representatives in Congress, and also to the State officers;

Which was withdrawn.

Mr. Plimpton offered the following:

*Resolved*, That no smoking shall be hereafter allowed upon the floor of this House, by any of the members or employes of this House, during the session of this Legislature;

Which was adopted.

Mr. Slayton offered the following:

*Resolved*, By the House, (the Senate concurring,) That there be appointed by the presiding officers of the respective branches

of the Legislature, nine members of the House and four members of the Senate, as a joint standing committee, to be known as the joint committee on amendments of the constitution, to whom shall be referred all propositions and petitions for amendments to the constitution of this State.

Laid on the table for one day, under the rules.

On motion of Mr. R. V. Briggs,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Wednesday, January 13, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. E. O. Haven, LL. D.

Roll called: quorum present.

Absent without leave: Messrs. Hartson, McKernan and Ward.

Mr. Boynton asked and obtained leave of absence for Mr. Hartson, until Monday.

Mr. Wendell asked and obtained leave of absence for Mr. McKernan, until Saturday.

Mr. Ingersoll asked and obtained leave of absence for Mr. Ward, until to-morrow morning.

Mr. Dusseau announced that Hon. David A. Woodard, member elect from the second district of Monroe county, was present, and desired to take his seat.

Mr. Woodard came forward, presented his credentials, and after having sworn and subscribed to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—Pursuant to a resolution of the House, I have this day appointed Dwight N. Lowell, of Romeo, clerk to the committee on the judiciary.

Very respectfully,

E. F. MEAD,

*Chairman of said Committee.*



## PRESENTATION OF PETITIONS.

By Mr. Sanford: petition of Hon. A. N. Hart and 139 others, citizens of Lansing and vicinity, praying for the enactment of a law authorizing municipal aid to the Howell and Lansing railroad.

Referred to the committee on internal improvements.

By Mr. Cameron: petition of Rollin Wood, praying for the passage of a law regulating fences along highways.

Referred to the committee on roads and bridges.

By Mr. Bostwick: petition of J. C. Leonard and 104 others, residents of Union City, praying that the action of the township of Union, Branch county, in voting aid to the Michigan Air Line railroad, may be legalized; conditioned, however, that such aid shall not be granted until the road shall have its track graded, and iron laid through said township, and that such aid shall not exceed ten per cent. of the assessed valuation;

Also: petition of J. D. Zimmerman, H. S. Dodge and 3 others, for the same purpose;

Also: petition of Dorr Fitzgerald, George Macy and 5 others, for the same purpose;

Also: petition of H. F. Ewers, W. G. McOmber and 43 others, for the same purpose;

Also: petition of R. V. Smith and 5 others, for the same purpose;

Also: petition of J. C. Leonard, D. R. Cooley and 14 others, for the same purpose.

Referred to the committee on internal improvements.

## REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of T. North, H. P. Atwood and 84 others, citizens and taxpayers of Tuscola county, asking for the repeal of the drainage laws, or an amendment of the same,

Respectfully report that they have had the same under consideration, but, without further action, have directed me to

report the same back to the House, and request its reference to the special committee on drainage.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The bill was referred to the special committee on drainage, to be hereafter appointed.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of the village of Vienna, in the county of Monroe, to that of Erie,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs to whom was referred

A bill to regulate the sale of patent rights in the State of Michigan, and to prevent frauds in such sales,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing process from courts of record,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. B. Smith,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section two of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8th, 1851, being section 3412 of the compiled laws, relative to holding terms of courts by circuit judges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill legalizing the tax rolls of the townships of Zeland,

Blendon, Georgetown and Jamestown, in the county of Ottawa, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill authorizing school district number seven, of the township of Pennfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of the board of supervisors of Ottawa county, asking the legalizing of the tax roll of certain townships in said county, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee

on public lands, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Blake,

The recommendation of the committee was concurred in, and the petition was referred to the committee on public lands.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

STATE TREASURER'S OFFICE, }  
Lansing, Jan. 12, 1869. }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives*:

Sir—I have the honor to submit herewith, statements numbered 1, 2 and 3, comprising the information desired by the following resolution, adopted by the House on the 11th inst.:

*Be it Resolved*, That the State Treasurer be and hereby is directed to report to this House, without delay—

1st. The names of all banks in this State that have paid all of the tax due to January 1, 1869, with the amount paid by each;

2d. The names of all banks that have paid a part of said tax, specifying the amount paid by each, and the amount remaining unpaid by each, on the 1st day of January, A. D. 1869;

3d. The names of all banks that have not paid any part of said tax, with the amount due from each.

Very respectfully,

E. O. GROSVENOR,

*State Treasurer.*

TABLE No. 1,

*Showing the National Banks that have paid all the installments of the Specific Tax imposed by Act No. 122, Laws of 1867:*

| NAMES OF BANKS.               | Location.          | No. of Installments Paid. | Amount Paid. |
|-------------------------------|--------------------|---------------------------|--------------|
| First National Bank,.....     | Coruna,.....       | 4                         | \$ 891 94    |
| " " ".....                    | Detroit,.....      | 4                         | 2,000 00     |
| Second " ".....               | " ".....           | 4                         | 19,822 08    |
| National Insurance Bank,..... | " ".....           | 4                         | 3,231 29     |
| American National ".....      | " ".....           | 4                         | 6,000 00     |
| Merchants' " ".....           | East Saginaw,..... | 4                         | 4,000 00     |
| City " ".....                 | Grand Rapids,..... | 4                         | 3,400 00     |
| First " ".....                | Houghton,.....     | 4                         | 3,144 00     |
| " " ".....                    | Ionia,.....        | 4                         | 1,707 94     |
| Peoples' " ".....             | Jackson,.....      | 4                         | 2,000 00     |
| First " ".....                | Kalamazoo,.....    | 4                         | 2,000 00     |
| Second " ".....               | Lansing,.....      | 4                         | 884 25       |
| First " ".....                | Marshall,.....     | 4                         | 1,783 71     |
| " " ".....                    | Monroe,.....       | 4                         | 2,000 00     |

TABLE No. 2,

*Showing the National Banks that have paid a part of the Specific Tax imposed by Act No. 122, Laws of 1867, with the amount paid and amount due by each:*

| NAMES OF BANKS.               | Location.        | No. of Installments Paid. | Am't Paid. | No. of Installments Unpaid. | Am't Due. |
|-------------------------------|------------------|---------------------------|------------|-----------------------------|-----------|
| National Exchange Bank,....   | Albion,.....     | 2                         | \$ 500 00  | 2                           | \$ 500 00 |
| First National ".....         | Ann Arbor,....   | 2                         | 1,640 63   | 1                           | 644 71    |
| " " ".....                    | Bay City,.....   | 1                         | 450 00     | 2                           | 1,350 00  |
| " " ".....                    | Battle Creek,... | 1                         | 450 00     | 2                           | 1,350 00  |
| Coldwater " ".....            | Coldwater,....   | 1                         | 500 00     | 2                           | 1,500 00  |
| First " ".....                | Constantine,...  | 1                         | 245 00     | 2                           | 735 00    |
| " " ".....                    | Dowagiac,.....   | 1                         | 250 00     | 2                           | 750 00    |
| " " ".....                    | East Saginaw,... | 1                         | 500 00     | 2                           | 1,500 00  |
| " " ".....                    | Fenton,.....     | 1                         | 250 00     | 2                           | 750 00    |
| " " ".....                    | Flint,.....      | 3                         | 1,500 00   | 1                           | 500 00    |
| " " ".....                    | Grand Rapids,... | 1                         | 680 00     | 3                           | 2,040 00  |
| " " ".....                    | Hillsdale,.....  | 2                         | 445 64     | 2                           | 445 64    |
| Second " ".....               | " ".....         | 1                         | 477 80     | 3                           | 1,432 80  |
| First " ".....                | Jackson,.....    | 2                         | 1,000 00   | 2                           | 1,000 00  |
| Michigan " ".....             | Kalamazoo,....   | 3                         | 1,320 00   | 1                           | 440 00    |
| Lowell " ".....               | Lowell,.....     | 1                         | 231 00     | 3                           | 693 00    |
| First " ".....                | Marquette,....   | 2                         | 1,500 00   | 2                           | 1,500 00  |
| National Bank of Michigan,... | Marshall,.....   | 2                         | 840 00     | 2                           | 840 00    |
| First National Bank,.....     | Owosso,.....     | 2                         | 500 00     | 2                           | 500 00    |
| " " ".....                    | Paw Paw,.....    | 1                         | 225 00     | 3                           | 705 00    |
| " " ".....                    | Romeo,.....      | 3                         | 1,411 26   | 1                           | 470 43    |
| " " ".....                    | Sturgis,.....    | 2                         | 920 00     | 2                           | 920 00    |
| " " ".....                    | St. Johns,.....  | 2                         | 456 97     | 2                           | 456 97    |
| " " ".....                    | Three Rivers,... | 2                         | 970 00     | 2                           | 970 00    |
| " " ".....                    | Ypsilanti,.....  | 1                         | 323 94     | 3                           | 986 32    |

TABLE No. 3,

*Showing the National Banks that have paid no portion of the Specific Tax imposed by Act No. 122, Laws of 1867:*

| NAMES OF BANKS.                 | Location.    | No. of<br>Installments<br>Unpaid. | Amount Due. |
|---------------------------------|--------------|-----------------------------------|-------------|
| First National Bank,.....       | Pontiac,.... | 4                                 | \$2,000 00  |
| Second National Bank,.....      | Pontiac,.... | 4                                 | 1,940 00    |
| National Bank of Tecumseh,..... | Tecumseh,..  | 4                                 | 1,000 00    |

The communication was laid on the table.

## NOTICES.

Mr. Klein gave notice that on some future day he would ask leave to introduce

A bill to regulate the sale of patent and other simple and compound medicines in the State of Michigan, and to prohibit publications of their virtues in language of an immoral tendency, or of ambiguous character.

Mr. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to prevent fishing with seines and continuous nets in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Genesee, Calhoun, and Macomb, approved March 9th, 1867.

Mr. Sanford gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Theron Ford.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to repeal all that part of section 8, after the word "Peninsula," of act No. 236, passed by the Legislature of 1863, and found upon pages 411-13 of the session laws of that year.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment of a stenographer for

the circuit court for the county of Wayne, and for the recorders' or municipal court of the city of Detroit.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to incorporate "the Father Mathew total abstinence and benevolent societies of the State of Michigan."

Mr. Walton gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of chapter 42, of compiled laws, relative to disorderly persons.

Mr. Stockbridge gave notice that on some future day he would ask leave to introduce

Joint resolution in relation to river and harbor improvements.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to amend the law establishing a board of county auditors for the county of Wayne.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 46 of session laws of 1864;

Also,

A bill to amend act No. 30, session laws of 1864;

Also,

A bill to appropriate certain non-resident highway taxes in the counties of Midland and Isabella, to aid in the improvement of the Midland and Isabella State road.

Mr. Gifford gave notice that on some future day he would ask leave to introduce

A bill incorporating the village of Plainwell, Allegan county.

Mr. L. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to establish and lay out a State road from Almont, La-peer county, to some point on the territorial road in said county, and ask an appropriation of swamp lands in aid of the construction of said road.



Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to amend the drainage laws of the State, and prohibiting supervisors from acting as drain commissioners.

INTRODUCTION OF BILLS.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to repeal act No. 100, of the session laws of A. D. 1855.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of the township of Saginaw, for the year 1868.

The bill was read a first and second time by its title, and referred to committee on local taxation.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of the taxes therein.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships and cities in the counties of Bay, Saginaw, Tuscola, Genesee, Lapeer, Oakland, Macomb and Wayne, to aid in the construction of a railroad from the city of Detroit, in the county of Wayne, to the city of Bay, in the county of Bay.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to establish the number of hours constituting a day's labor or work.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1 and 3 of the "act to authorize certain persons to administer oaths and take acknowledgments of deeds and other instruments in writing," approved March 27th, 1867, being act number 145, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to amend and explain sections 8 and 9 of an act entitled "An act authorizing the payment of bounties to volunteers in the service of the United States," approved February 5, 1864.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to aid in the completion of a bridge across Cass river, near Cass City, Tuscola county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes assessed for the construction of ditches in the township of Fairgrove, in the county of Tuscola.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Snell, previous notice having been given, and leave being granted, introduced

A bill to amend section 335, chapter 10, of the compiled laws, relative to the annual meeting of county boards of supervisors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

## MOTIONS AND RESOLUTIONS.

Mr. Yawkey offered the following:

*Resolved*, That the Commissioner of the State Land Office be and is hereby requested to report to this House, as soon as practicable, such information as may appear on the records in his office, showing the total amount of lands now appropriated for the construction of State swamp land roads; also the names and location of said roads, and all information pertaining thereto;

Which was adopted.

Mr. Ingersoll offered the following:

*Resolved*, That the special committee on drainage, heretofore authorized by the House, shall be a standing committee upon that subject during this session of the Legislature;

Which was adopted.

Mr. W. D. Williams offered the following:

*Resolved*, That the committee on roads and bridges be instructed to inquire into the condition of that portion of the military wagon road from Fort Howard to Fort Wilkins, as lies in the State of Michigan; also to inquire into the condition of the several swamp-land roads in the county of Ontonagon, and to report to the House such information upon the subject as they may deem useful, and also to report, by bill or otherwise, what legislation, if any, is necessary to secure the completion of such roads;

Which was adopted.

Mr. Ternes moved to take from the table the petition of the drain commissioners of the county of Wayne, to extend the time for the collection of certain drain taxes in that county;

Which motion prevailed.

On motion of Mr. Ternes,

The petition was referred to the committee on local taxation.

Mr. Sanford offered the following:

*Resolved*, That the memorial and accompanying papers of

Hon. C. C. Dewey, praying that the seat of Hon. John H. Hubbard, in this House, be awarded to the memorialist, be taken from the table and referred to the committee on elections;

Which was adopted.

UNFINISHED BUSINESS,

Being the consideration of the following:

*Resolved*, (the Senate concurring,) That the Attorney General of this State be instructed to proceed to collect the claim known as the Phoenix bank claim and Hazelton claim, and that he have authority to employ counsel, should it be necessary;

Mr. Mason moved to refer the resolution to the committee on the judiciary;

Which motion prevailed.

Also, the following:

*Resolved*, By the House, (the Senate concurring,) That there be appointed by the presiding officers of the respective branches of the Legislature, nine members of the House and four members of the Senate, as a joint standing committee, to be known as the joint committee on amendments of the constitution, to whom shall be referred all propositions and petitions for amendments to the constitution of this State;

Mr. Boynton offered the following as a substitute for the resolution:

*Resolved*, By the House, (the Senate concurring,) That the judiciary committee of the House and the judiciary committee of the Senate, be authorized to act as a joint committee during this session of the Legislature, to whom shall be referred all propositions and petitions for amendments to the constitution of this State.

Mr. Miles moved that the consideration of the concurrent resolution be indefinitely postponed;

Which motion prevailed.

On motion of Mr. Horton,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Thursday, January 14, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

The Speaker announced the following:

*Standing Committee for the Session, on Drainage—Messrs. Brownell, Lane, Smith, Baxter and Ternes.*

PRESENTATION OF PETITIONS.

By Mr. Stannard: petition of E. B. Armstrong and 87 others, residents of the village of Saranac, praying for the incorporation of the village of Saranac.

Referred to the committee on banks and incorporations.

By Mr. Miller: petition of Isaac B. Gilbert and 3 others, tax-payers of the town of Richmond, Macomb county, asking to have the time extended thirty days for collecting the taxes of said township.

Referred to the committee on local taxation.

By Mr. Gay: petition of Geo. W. Palmerton and 86 others, electors of the township of Handy, Livingston county, praying for the passage of a law authorizing counties, cities and towns along the proposed railroad from Detroit to Lansing, to aid in the construction of the same;

Also: petition of I. W. Bush and 207 others, electors of the township of Howell, Livingston county, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Crossman: petition of J. B. Waldo, J. M. Williams and 167 others, citizens of the township of Williamstown, county of Ingham, asking the passage of an act authorizing the cities and towns along the route of the proposed railroad from Detroit to Lansing, to aid in the construction of the same;

Also: petition of G. W. Huston and 38 others, citizens of LaRoy, county of Ingham, for the same purpose;

Also: petition of L. M. Dennis and 72 others, citizens of the township of Wheatfield, county of Ingham, for the same purpose;

Also: petition of C. Dunckle, J. Grimes and 66 others, citizens of the township of Locke, county of Ingham, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Walton: petition of H. D. Codiet, D. S. Wilkinson and 46 others, voters of school district numbers 13 and 15, in the township of Adrian, Lenawee county, asking for the repeal of a portion of the act of 1861, to incorporate the public schools of the city of Adrian;

Also: petition of N. S. Wheeler and 18 others, voters of school district No. 15, in the township of Adrian, county of Lenawee, for the same purpose;

Also: petition of W. Harwood and 40 others, voters in school district No. 13, in the township of Adrian, county of Lenawee, for the same purpose;

Also: petition of Wm. Young and 18 others, voters of school district No. 13, in the township of Adrian, county of Lenawee, for the same purpose.

Referred to the committee on local taxation.

By Mr. Fancher: petition of N. Mosher and 84 others, asking for the passage of an act authorizing the laying out of a State road from Isabella City north, to intersect the Ionia and Houghton Lake State road, and asking for an appropriation of State swamp land to aid in the construction of the same.

Referred to the committee on public lands.

By Mr. Lane: petition of A. J. Templeton and 34 others, to detach and set off certain territory from union school district number one, in the town of Spaulding, in the county of Saginaw.

Referred to the committee on education.

By Mr. Lee: petition of Thomas Young and 82 others, electors of the township of Brighton, county of Livingston, praying for the enactment of a law authorizing the cities and towns along the route of the proposed Detroit and Lansing railroad, to issue bonds in aid of the same, to an amount not exceeding ten per cent. of their assessed valuation.

Referred to the committee on internal improvements.

By Mr. Avery: petition of J. P. Beers, Levi Camburn and 29 others, citizens of Stanton, Montcalm county, for the incorporation of the village of Stanton.

Referred to the committee on banks and incorporations.

By Mr. Crane: petition of Arthur D. Gilmore, R. B. C. Newcomb and 92 others, citizens of Blissfield, Lenawee county, asking the Legislature to submit to the people, at the next election, an amendment to the constitution giving equal political rights to all the citizens of the State, without regard to race or color.

Referred to the committee on judiciary.

By Mr. Huston: memorial of the board of supervisors of Tuscola county, asking that the Legislature enact a law making tax titles valid;

On motion of Mr. Huston,

The memorial was referred to the committee on the judiciary, and ordered printed in the journal.

The following is the memorial:

*Whereas*, There is in this county a large amount of non-resident land, on which the owners have not for years past paid any taxes, and consequently said land has been from time to time returned as delinquent, so that at the present time there is due to this county, on account of said delinquent taxes, over thirty-seven thousand dollars;

*And whereas*, In the opinion of this board, this evil is increasing, and will continue to increase so long as tax titles are so easily set aside as they now are;

*And whereas*, In the opinion of this board, the remedy for this evil, which is doing so great an injury to all, and especially to the new counties of the State, is in the enacting by the Legislature of some law by which tax titles shall be made more valid; therefore, be it

*Resolved*, By this board of Supervisors for the county of Tuscola, that the Legislature be and the same hereby is requested to pass some law (such as in its judgment may best accomplish the object) which will render tax titles of sufficient valid-

ity to induce capitalists to invest their money therein, and thus relieve the county from paying the taxes which should be paid by the non-resident land; and be it further

*Resolved*, That the clerk of this board be and he hereby is instructed to transmit to our Senator and Representative in the Legislature, certified copies of this resolution, with the request that they use their influence to procure the passage of some such law as is contemplated therein.

STATE OF MICHIGAN, }  
TUSCOLA COUNTY, } ss.

I, J. J. Wilder, clerk of the board of supervisors of said county of Tuscola, do hereby certify the above resolution to be a true copy of such resolution, adopted by the board of supervisors, at their session, January 8, A. D. 1869, and recorded in the proceedings had before said board of that date.

In witness whereof, I have hereto affixed the seal of the circuit court for said county, at Centreville, this 9th day of [L. s.] January, A. D. 1869.

J. J. WILDER, *Clerk*.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That a joint committee, consisting of two from the House and one from the Senate, be appointed to communicate with the postmasters at Owosso, Lansing and Jackson, and the officers of the Jackson, Lansing and Saginaw railroad, for the purpose of the more speedy transmission of mails to and from this point, during the present session of the Legislature;

In the passage of which the Senate has concurred.

I am directed to inform the House that the Senate has ap-



pointed Senator T. G. Smith as member of said committee on the part of the Senate.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker announced as such committee on the part of the House, Messrs. Horton and Miles.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 13, 1869.

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Thornsapple, in the county of Barry, for the year eighteen hundred and sixty-eight;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

NOTICES.

Mr. Stannard gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Saranac.

Mr. Baxter gave notice that on some future day he would ask leave to introduce

A bill to authorize and encourage the formation of corporations to establish rural cemeteries, and to provide for the care and maintenance thereof.

Mr. Miller gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the town of Richmond, Macomb county.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill providing for submitting an amendment of the constitution of this State to the electors, at the next general election, so as to give each organized county at least one Representative in the lower branch of the State Legislature;

Also,

A bill authorizing the several towns and corporations in the counties of Isabella, Gratiot, Clinton and Ingham, to levy a tax to aid in the construction of a railroad from the city of Lansing, via St. Johns, to Mount Pleasant, in Isabella county, thence north till it intersects the Flint and Pere Marquette railroad.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to authorize the trustees of the First Methodist Episcopal church of Hastings, Barry county, to convey certain real estate.

Mr. Elliott gave notice that on some future day he would ask leave to introduce

A bill to amend sections 45, 46 and 48, of chapter 17, of compiled laws, relative to the collection of taxes on personal estate.

Mr. Avery gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Stanton, in Montcalm county.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section (30) thirty, in compiled laws, of an act to define the powers and duties of boards of supervisors.

Mr. Millington gave notice that on some future day he would ask leave to introduce

A bill for the relief of Jacob Benage;

Also,

A bill for the relief of Lewis Wachterhauser.

Mr. Stewart gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of chapter 24, of the revised statutes, being section 1099 of the compiled laws.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to detach and set off certain territory from Union school district No. 1, in the township of Spaulding, in the county of Saginaw.

Mr. Beall gave notice that on some future day he would ask leave to introduce

A bill to amend sections 188 and 195, of chapter 117, of the compiled laws, relative to appeals from justices' courts.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for a grant of land to aid in the construction of a railroad from the northern terminus of grants heretofore made at or near Traverse Bay, by way of the Straits of Mackinaw, to Negaunee, in the iron district of Lake Superior.

#### INTRODUCTION OF BILLS.

Mr. Cogshall, previous notice having been given, and leave being granted, introduced

A bill to amend section 5654, of the compiled laws, in relation to fees of jurors in justices' courts, and in special cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the city of Flint, in the county of Genesee.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act for the better protection of game in the State of Michigan," being act No. 238, of the session laws of 1863.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill authorizing circuit courts, sitting in chancery, to refer causes pending in chancery, to special commissioners.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Millington, previous notice having been given, and leave being granted, introduced

A bill to prevent trespass upon cranberry marshes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill for the protection of buoys and beacons.

The bill was read a first and second time by its title, and referred to the committee on harbors.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to repeal act No. 141, of session laws of 1859, and to revive section one, of chapter forty-six, of the revised statutes, (compiled laws, section 1599.)

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to provide for the registration of electors in new townships.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. Romaya, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved Feb. 14, 1853, and an act amendatory thereto, approved Feb. 4, 1858.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Stockbridge, previous notice having been given, and leave being granted, introduced

Joint resolution asking Senators and Representatives in Congress, from Michigan, to secure the passage of the river and harbor appropriation bill, now pending in the United States Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on harbors.

Mr. Brownell moved that the House adjourn;

Which motion was withdrawn.

#### GENERAL ORDER.

On motion of Mr. Slayton,

The House went into committee of the whole, on the general order,

Mr. Mead in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 1, entitled

A bill to change the name of the village of Vienna, in the county of Monroe, to that of Erie;

2. House bill No. 3, entitled

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing process from courts of record;

3. House bill No. 5, entitled

A bill to amend section 2 of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8, 1851, being section 3412 of the compiled laws, relative to the holding of terms of court by circuit judges;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

4. House bill No. 6, entitled

A bill to regulate the sale of patent rights, in the State of Michigan, and to prevent frauds in such sales;

And have directed their chairman to report the same back to the House, and recommend that it be referred to the committee on the judiciary.

The committee of the whole have also had under consideration the following entitled bill:

5. House bill No. 4, entitled

A bill to authorize school district No. 7, of the township of Penfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The first, second and third named bills were placed on the order of third reading.

On motion of Mr. Brownell,

The fourth named bill was referred to the committee on the judiciary.

On motion of Mr. Holt,

The amendment to the fifth named bill was concurred in, and the bill was placed on the order of third reading.

On motion of Mr. Sanford,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Friday, January 15, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Banwell.

Roll called: quorum present.

Absent without leave, Messrs. Hubbard, Riopelle and H. G. Williams.

Mr. Goodrich asked and obtained leave of absence for Mr. Hubbard, until Tuesday.

Mr. Romeyn asked and obtained leave of absence for Mr. Riopelle, until Tuesday morning.

Mr. Barnaby asked and obtained leave of absence for Mr. H. G. Williams, until Wednesday morning.

#### PRESENTATION OF PETITIONS.

By Mr. Huston: petition of George Grinnell and 46 others, citizens of fractional school districts numbers 4 and 5, of Arbel and Wellington, Tuscola county, asking to have district number 4 vacated and attached to district number 5.

Referred to the committee on education.

By Mr. Sanford: memorial of Hon. Philo Doty, of Clinton county, claiming the seat now occupied by Hon. Franklin D. Smith.

Referred to the committee on elections.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of the taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Saginaw, for the year eighteen hundred and sixty-eight,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A petition of the drain commissioners of the county of Wayne, asking for an extension of the time for the collection of certain drain taxes in the county of Wayne, together with a bill, entitled

A bill respecting the collection of certain drain taxes in the townships of Dearborn, Taylor and Ecorse, in the county of Wayne, for the year 1868, and for the reassessment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for the bill, entitled

A bill to extend the time for collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.



On motion of Mr Swift,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to prevent trespasses upon cranberry marshes;

Also,

A bill to repeal act No. 141, of session laws of 1859, and revive section 1, of chapter 46, of the revised statutes of 1846.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miller,

The bills were laid on the table.

By the committee on drainage:

The committee on drainage, to whom was referred

A bill to extend the time for the collection of taxes assessed for the construction of ditches in the township of Fairgrove, in the county of Tuscola,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELERY A. BROWNELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huston,

The rules were suspended and the bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to extend the boundaries and to grant a new charter to the village of Quincy,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to amend act No. 49, of the session laws of 1864, entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their

credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by act of the Legislature, approved March 21st, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

A bill to provide for registration of electors in new townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred the memorial of Chas. C. Dewey, asking the seat on this floor occupied by Hon. John H. Hubbard, respectfully report that they have had the same under consideration, and have directed me to ask of the House, as a farther means of ascertaining all the facts in

the case, necessary to a correct report, power to send for persons and papers.

D. L. CROSSMAN, *Chairman*.

Report accepted.

On motion of Mr. Huston,

Power was granted to the committee to send for persons and papers.

By the committee on printing:

The committee on printing, to whom was referred the resolution relative to printing extra copies of the messages of Governor's Crapo and Baldwin, would recommend that 500 copies of each be printed in English; 2,000 copies each, in German, and 500 copies each, in Holland, and they be furnished this House within thirty days from and after the passage of this resolution, and would ask to be discharged from the further consideration of the subject.

H. B. ROWLSON, *Chairman*.

Report accepted and committee discharged.

Mr. Osborn moved that the House concur in the recommendations of the committee.

Mr. Swift called for a division of the question, that the vote might be taken upon printing the messages of the retiring and acting Governor's separately.

The question being upon ordering the number of the message of the retiring Governor, as recommended by the committee,

Mr. Hurlbut moved to so amend the recommendation as to print 500 copies in the English language only;

Which motion did not prevail.

The question recurring upon printing the message of the retiring Governor, as recommended by the committee,

It was agreed to.

The question then being upon printing the message of Gov. Baldwin, as recommended by the committee,

Mr. Cameron moved to amend by striking out "500 copies in the Holland language," and inserting in lieu thereof, "2,000 copies in the Holland language;"

Which motion prevailed.

Mr. Klein moved to amend the recommendation of the committee, so as to have the messages printed in pamphlet form;

Which motion prevailed.

Mr. Dussseau moved to further amend, by inserting after the word "Holland," "and 500 copies in the French language;"

Which motion did not prevail.

The recommendations of the committee, as amended, were then concurred in.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

STATE LAND OFFICE, }  
Lansing, Jan. 14, 1869. }

*To the Honorable House of Representatives:*

GENTLEMEN—I have the honor to acknowledge the receipt, this day, of a copy of the resolution passed by your Honorable body on the 13th inst., "requesting the Commissioner of the State Land Office to report such information as may appear on the records of this office, showing the total amount of lands now appropriated for the construction of State swamp land roads, together with names and location of said roads, and all information pertaining thereto," and in reply would respectfully say that under the provisions of act No. 76, session laws of 1867, establishing the office of Swamp Land State Road Commissioner, all records relating to swamp land roads and ditches were transferred to the office of said Commissioner, and who now has the custody and control thereof; and would further state that said Road Commissioner is now engaged in the preparation of a report embracing the information requested by said resolution, and which will be laid before the Legislature at an early day, and to which I would most respectfully refer your honorable body, and ask to be relieved from the requirements of said resolution.

Very respectfully,

Your obedient servant,

B. D. PRITCHARD, *Commissioner.*

The communication was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 14, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to provide for fixing the time for holding the circuit court in the twelfth judicial district;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

NOTICES

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to legalize the returns of taxes for the county of Shiawassee, for the year 1867.

Mr. Cogshall gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment roll of the township of Holly, in Oakland county, and to extend the time for the collection of taxes therein.

Mr. Ternes gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 484, of the session laws of A. D. 1867, entitled "An act to amend act No. 100, of the session laws of 1848, relative to the Detroit and Saline plank road company."

Mr. Ward gave notice that on some future day he would ask leave to introduce

A bill to regulate the practice of medicine in this State.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

A bill to amend sections 18 and 33, of chapter 93, of the compiled laws, relative to proceedings in attachments in justices' courts.

Mr. Beall gave notice that on some future day he would ask leave to introduce

A bill to amend section 39, of act No. 273, of session laws of 1865, relative to the payment of taxes to the township treasurer.

#### INTRODUCTION OF BILLS.

Mr. Baxter, previous notice having been given, and leave being granted, introduced

A bill to authorize and encourage the formation of corporations to establish rural cemeteries, and to provide for the care and maintenance thereof.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Stannard, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Saranac.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to amend section 4, of act No. 108, of the session laws of 1861, entitled "An act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to amend section 3, of act 845, of the session laws of 1865, the same being "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in Tuscola and Bay counties."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to repeal an act entitled "An act to provide for the drainage of swamps, marshes, and other low lands," approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Miller, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Richmond, in the county of Macomb.

On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Elliott, previous notice having been given, and leave being granted, introduced

A bill to amend sections 45, 46 and 48, of chapter 17, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Mead, previous notice having been given, and leave being granted, introduced



A bill to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and for the recorder's or municipal court of the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Sanford, previous notice having been given, and leave being granted, introduced

Joint resolution for the relief of Theron Ford.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Avery, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Stanton.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS.

House bill No. 1, entitled

A bill to change the name of the village of Vienna, in the county of Monroe, to that of Erie,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Sanford  |
| Avery,        | Horton,         | Shaw,        |
| Barnaby,      | Hunt,           | Sheldon,     |
| Baxter,       | Hurlbut,        | Shier,       |
| Beall,        | Huston,         | Sickels,     |
| Blake,        | Hutchinson,     | Slayton,     |
| Bostwick,     | Ingersoll,      | F. L. Smith, |
| Boynton,      | Jewell,         | R. B. Smith, |
| G. G. Briggs, | L. Kendrick,    | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Brownell,     | Kingsley,       | Stewart,     |
| Cameron,      | Klein,          | Stockbridge, |
| B. Clark,     | Lane,           | Swift,       |
| O. Clark,     | Lee,            | Ternes,      |
| Cogshall,     | Mandigo,        | Thompson,    |
| Crane,        | Mason,          | Vowles,      |
| Crossman,     | McCowen,        | Wagner,      |

Curry,  
Davis,  
Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fancher,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,

McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Romeyn,  
Rowlson,

Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

91

## NAYS.

Mr. Mead,

1

Title agreed to.

House bill No. 3, entitled

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing of process from courts of record,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,

Mr. Holt,  
Horton,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Mead,

Mr. Sanford,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
F. L. Smith,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,

|           |             |                 |
|-----------|-------------|-----------------|
| Dusseau,  | Miles,      | Ward,           |
| Eaton,    | Miller,     | Weier,          |
| Eck,      | Millington, | Wendell,        |
| Elliott,  | Mitchell,   | Westover,       |
| Fancher,  | Murray,     | White,          |
| Fenner,   | Osborn,     | Wilcox,         |
| Fuller,   | Plimpton,   | J. A. Williams, |
| Gay,      | Purcell,    | W. D. Williams, |
| Gifford,  | Putnam,     | Woodard,        |
| Goodrich, | Riford,     | Yawkey,         |
| Grant,    | Romeyn,     | Speaker,        |
| Harris,   | Rowlson,    | 92              |
|           | NAYS.       | 0               |

Title agreed to.

On motion of Mr. W. D. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 5, entitled

A bill to amend section 2 of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8, 1861, being section 3412 of the compiled laws, relative to the holding of terms of court by circuit judges,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Rowlson, |
| Avery,        | Horton,         | Sanford,     |
| Barnaby,      | Hunt,           | Shaw,        |
| Barter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Sickels,     |
| Blake,        | Hutchinson,     | Slayton,     |
| Bostwick,     | Ingersoll,      | F. L. Smith, |
| Boynton,      | Jewell,         | R. B. Smith, |
| G. G. Briggs, | L. Kendrick,    | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Brownell,     | Kingale,        | Stewart,     |
| Cameron,      | Klein,          | Stockbridge, |
| B. Clark,     | Lane,           | Swift,       |
| O. Clark,     | Lee,            | Ternes,      |
| Cogshall,     | Mandigo,        | Thompson,    |
| Crane,        | Mason,          | Vowles,      |
| Crossman,     | McCowen,        | Wagner,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Curry,    | McKernan,   | Walker,         |
| Davis,    | Mead,       | Walton,         |
| Dusseau,  | Miles,      | Ward,           |
| Eaton,    | Miller,     | Weier,          |
| Eck,      | Millington, | Wendell,        |
| Fancher,  | Mitchell,   | Westover,       |
| Fenner,   | Murray,     | Wilcox,         |
| Fuller,   | Osborn,     | J. A. Williams, |
| Gay,      | Plimpton,   | W. D. Williams, |
| Gifford,  | Purcell,    | Woodard,        |
| Goodrich, | Putnam,     | Yawkey,         |
| Grant,    | Riford,     | Speaker,        |
| Harris,   | Romeyn,     |                 |

89

## NAYS.

Mr. Elliott,

Mr. White,

2

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 4, entitled

A bill to authorize school district number seven, of the township of Penfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Rowison, |
| Avery,        | Horton,         | Sanford,     |
| Barnaby,      | Hunt,           | Shaw,        |
| Baxter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Sickels,     |
| Blake,        | Hutchinson,     | Slayton,     |
| Bostwick,     | Ingersoll,      | F. L. Smith, |
| Boynton,      | Jewell,         | R. B. Smith, |
| G. G. Briggs, | L. Kendrick,    | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Brownell,     | Kingsley,       | Stewart,     |
| Cameron,      | Kline,          | Stockbridge, |
| B. Clark,     | Lane,           | Swift,       |
| O. Clark,     | Lee,            | Ternes,      |
| Cogshall,     | Mandigo,        | Thompson,    |

|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | Mason,      | Vowles,         |
| Crossman, | McCowen,    | Wagner,         |
| Curry,    | McKernan,   | Walker,         |
| Davis,    | Mead,       | Walton,         |
| Dusseau,  | Miles,      | Ward,           |
| Eaton,    | Miller,     | Weier,          |
| Eck,      | Millington, | Wendell,        |
| Elliott,  | Mitchell,   | Westover,       |
| Fancher,  | Murray,     | White,          |
| Fenner,   | Osborn,     | Wilcox,         |
| Fuller,   | Plimpton,   | J. A. Williams, |
| Gay,      | Purcell,    | W. D. Williams, |
| Gifford,  | Putnam,     | Woodard,        |
| Goodrich, | Riford,     | Yawkey,         |
| Grant,    | Romeyn,     | Speaker,        |
| Harris,   |             | 91              |

NAYS.

0

Title agreed to.

On motion of Mr. Wagner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes, assessed for the construction of ditches, in the township of Fairgrove, in the county of Tuscola,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Sanford, |
| Avery,        | Horton,         | Shaw,        |
| Barnaby,      | Hunt,           | Sheldon,     |
| Baxter,       | Hurlbut,        | Shier,       |
| Beall,        | Huston,         | Sickels,     |
| Blake,        | Hutchinson,     | Slayton,     |
| Bostwick,     | Ingersoll,      | F. L. Smith, |
| Boynston,     | Jewell,         | R. B. Smith, |
| G. G. Briggs, | L. Kendrick,    | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Brownell,     | Kingsley,       | Stewart,     |
| Cameron,      | Klein,          | Stockbridge, |
| B. Clarke,    | Lane,           | Swift,       |
| O. Clark,     | Lee,            | Ternea,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Cogshall, | Mandigo,    | Thompson,       |
| Crane,    | Mason,      | Vowles,         |
| Crossman, | McCowen,    | Wagner,         |
| Curry,    | McKernan,   | Walker,         |
| Davis,    | Mead,       | Walton,         |
| Dussean,  | Miles,      | Ward,           |
| Eaton,    | Miller,     | Weier,          |
| Eck,      | Millington, | Wendell,        |
| Elliott,  | Mitchell,   | Westover,       |
| Fancher,  | Murray,     | White,          |
| Fenner,   | Osborn,     | Wilcox,         |
| Fuller,   | Plimpton,   | J. A. Williams, |
| Gay,      | Purcell,    | W. D. Williams, |
| Gifford,  | Putnam,     | Woodard,        |
| Goodrich, | Riford,     | Yawkey,         |
| Grant,    | Romeyn,     | Speaker,        |
| Harris,   | Rowlson,    |                 |

92

NAYS.

0

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to extend the boundaries and grant a new charter to the village of Quincy,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Shaw,    |
| Avery,        | Hunt,           | Sheldon,     |
| Barnaby,      | Hurlbut,        | Shier,       |
| Baxter,       | Hutchinson,     | Sickels,     |
| Beall,        | Ingersoll,      | Slayton,     |
| Blake,        | Jewell,         | F. L. Smith, |
| Bostwick,     | L. Kendrick,    | R. B. Smith, |
| Boynton,      | F. G. Kendrick, | Snell,       |
| G. G. Briggs, | Kingsley,       | Stannard,    |
| Brownell,     | Klein,          | Stewart,     |
| Cameron,      | Lane,           | Stockbridge, |
| B. Clark,     | Lee,            | Swift,       |
| O. Clark,     | Mandigo,        | Ternes,      |
| Cogshall,     | McCowen,        | Thompson,    |
| Crane,        | McKernan,       | Vowles,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Crossman, | Mead,       | Wagner,         |
| Curry,    | Miles,      | Walker,         |
| Davis,    | Miller,     | Walton,         |
| Dusseau,  | Millington, | Ward,           |
| Eaton,    | Mitchell,   | Weier,          |
| Eck,      | Murray,     | Wendell,        |
| Fancher,  | Osborn,     | Westover,       |
| Fenner,   | Plimpton,   | White,          |
| Fuller,   | Purcell,    | Wilcox,         |
| Gay,      | Putnam,     | J. A. Williams, |
| Gifford,  | Riford,     | W. D. Williams, |
| Goodrich, | Romeyn,     | Woodard,        |
| Grant,    | Rowlson,    | Yawkey,         |
| Harris,   | Sanford,    | Speaker, 87     |

## NAYS.

Mr. R. V. Briggs, 1  
Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect from and after the 2d day of March next.

On motion of Mr. Mead,

The rule requiring the second and third reading of bills to be on different days, was suspended, and House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Richmond, in the county of Macomb,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Rowlson, |
| Avery,        | Horton,         | Shaw,        |
| Barnaby,      | Hunt,           | Sheldon,     |
| Baxter,       | Hurlburt,       | Shier,       |
| Beall,        | Huston,         | Sickels,     |
| Blake,        | Hutchinson,     | Slayton,     |
| Bostwick,     | Ingersoll,      | F. L. Smith, |
| Boynon,       | Jewell,         | R. B. Smith, |
| G. G. Briggs, | L. Kendrick,    | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Brownell,     | Kingsley,       | Stewart,     |
| Cameron,      | Klein,          | Stockbridge, |

|           |             |                 |
|-----------|-------------|-----------------|
| B. Clark, | Lane,       | Swift,          |
| O. Clark, | Lee,        | Ternes,         |
| Cogshall, | Mandigo,    | Thompson        |
| Crane,    | Mason,      | Vowles,         |
| Crossman, | McCowen,    | Wagner,         |
| Curry,    | McKernan,   | Walker,         |
| Davis,    | Mead,       | Walton,         |
| Dusseau,  | Miles,      | Ward,           |
| Eaton,    | Miller,     | Weier,          |
| Eck,      | Millington, | Wendell,        |
| Elliott,  | Mitchell,   | Westover,       |
| Fancher,  | Murray,     | White,          |
| Fenner,   | Osborn,     | Wilcox,         |
| Fuller,   | Plimpton,   | J. A. Williams, |
| Gay,      | Purcell,    | W. D. Williams, |
| Gifford,  | Putnam,     | Woodard,        |
| Goodrich, | Riford,     | Yawkey,         |
| Grant,    | Romeyn,     | Speaker,        |
| Harris,   |             |                 |

91

NAYS.

0

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Crossman offered the following:

*Resolved*, That this House, on Tuesday next, at eleven o'clock in the forenoon, proceed openly, by a *viva voce* vote, each member present naming one person for Senator in Congress, to elect a Senator in Congress, in place of Zachariah Chandler, whose term of office expires on the 3d day of March next;

Which was adopted.

Mr. Boynton offered the following:

*Resolved*, That the Quartermaster General of this State be requested to furnish this House with the number of men who enlisted and were mustered from this State into the military service of the United States, on or after the 5th day of February, 1864, and were credited to any part of the five hundred thousand call of the 1st day of February, 1864, who did not receive the one hundred dollars State bounty; and that he also



state whether, in his opinion, any men other than those above referred to, are justly entitled to State bounty, and if so, what men, and to what amount;

Which was adopted.

On motion of Mr. Mead,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Saturday, January 16, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Barnard.

Roll called: quorum present.

Absent without leave: Messrs. R. V. Briggs, Cogshall, Huston, Kingsley, Lane, McCowen, F. L. Smith, Ternes, Wilcox.

Mr. Purcell asked and obtained leave of absence for Mr. R. V. Briggs, until Tuesday morning.

Mr. Grant asked and obtained leave of absence for himself, until Thursday morning.

Mr. Sanford asked and obtained leave of absence for Mr. Huston, until Tuesday morning.

Mr. Yawkey asked and obtained leave of absence for Mr. Lane, until Tuesday morning.

Mr. Ingersoll asked and obtained leave of absence for Mr. Cogshall, until Tuesday morning.

Mr. Ingersoll asked and obtained leave of absence for Mr. Kingsley, for the day.

Mr. Rowlson asked and obtained leave of absence for Mr. McCowen, until Tuesday morning.

Mr. Miles asked and obtained leave of absence for himself, until Friday morning.

Mr. Purcell asked and obtained leave of absence for Mr. Ternes, until Tuesday morning.

Mr. White asked and obtained leave of absence for Mr. Wilcox, until Wednesday morning.

## PRESENTATION OF PETITIONS.

By Mr. McKernan: petition of E. S. Ingalls and 13 other citizens of Menominee, asking the passage of a law to authorize the construction of a draw-bridge across the Menominee river.

Referred to the committee on harbors.

By Mr. Putnam: petition of George Miller, G. C. Jones and 112 others, asking the establishment of at least one more Normal School in the State of Michigan, upon the same principle, and with the same advantages, as the one at Ypsilanti, and that the propriety of locating the same at Dowagiac, in this State, be taken into consideration.

Referred to the committee on education.

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate manuscript bill, entitled

A bill to provide for fixing the time of holding the circuit courts in the twelfth judicial district, for the year 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Stanton,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Slayton,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of taxes in the township of Indian Fields, Tuscola county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sanford,

The rules were suspended and the bill was placed on the order of third reading.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to authorize the trustees of the Methodist Episcopal church, of Dansville, Ingham county, to sell and convey certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bill:

A bill to extend the time for the collection of taxes in the township of Thornapple, in the county of Barry.

E. M. MASON, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That a joint committee, consisting of five members of the House and three from the Senate, be appointed to inquire by what authority, if any, the so-called Detroit and Milwaukee railroad company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report, by bill or otherwise, as to said authority, and also as to the general management of said road;

And to inform the House that the Senate has amended the same, by striking out all after the word "that," in the first line, and inserting in place thereof the words, "the Attorney General be and he hereby is instructed to institute such proceedings as will test the validity of the act or acts under which the Detroit and Milwaukee railroad company claim to be exercising the powers of a corporate body, to the end that if found exercising such powers without authority of law, said company may be induced to organize under the general railroad law of this State;"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Ward,

The concurrent resolution was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 15, 1869.* }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring,) That the Attorney General be and he is hereby instructed to use all practicable diligence in collecting the claims of the State against the Phoenix Bank and Dewey and Hazelton;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Plimpton moved that the House concur in the adoption of the concurrent resolution.

On motion of Mr. Ingersoll,

The concurrent resolution was referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 15, 1869.* }

*To the Speaker of the House of Representatives:*

Sir—I am instructed to return to the House the following bills:

1. House bill No. 4, entitled

A bill to authorize school district number seven, of the township of Penfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Richmond, in the county of Macomb;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Ingersoll, in the county of Midland, for the year 1868;

2. Senate manuscript bill, entitled

A bill to authorize the city of Lansing, in the county of Ingham, to vote aid to the Ionia and Lansing railroad company, under the provisions of act No. 324, of session laws of 1865;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Fancher,

The rules were suspended, and the bill was placed on the order of third reading.

The second named bill was read a first and second time by its title, and referred to the committee on internal improvements.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 15, 1869.*

*To the Speaker of the House of Representatives :*

Sir—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 2, entitled

A bill to designate the time, and provide the manner of electing United States Senators;

2. Senate bill No. 3, entitled

A bill to legalize the returns of taxes for the county of Shiawassee, for the year 1867;

3. Senate bill No. 4, entitled

A bill to provide for the payment of the officers and members of the Legislature, for the year 1869;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

The second named bill was read a first and second time by its title, and referred to the committee on local taxation.

The third named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 1, entitled

A bill to change the name of the village of Vienna, in the county of Monroe, to that of Erie;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

NOTICES.

Mr. Hunt gave notice that on some future day he would ask leave to introduce

A bill for the building and support of bridges across meandered streams, by the State.

Mr. Sickels gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Ovid.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill making guarantees of promissory notes negotiable, and providing that they shall pass to the holders of such notes.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to enable the Jackson, Lansing and Saginaw Railroad Company to change the northern terminus of its railroad, to some point on Lake Superior, without prejudice to its rights;

Also,

A bill to authorize the construction of a draw-bridge across the Menominee river, in the county of Menominee;

Also,



Joint resolution asking the Congress of the United States for a grant of land to aid in the construction of the Mineral Range railroad.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for an appropriation for a harbor lighthouse at Little Traverse Bay; also, one on the Island of St. Helena, in the Straits of Mackinaw; also, a lighthouse and fog-bell on the Peninsula, or "Old Mission Point," in Grand Traverse Bay.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

A bill to legalize the appointments of the circuit courts by the circuit judge, in the counties comprising the twelfth judicial circuit, for the years 1865 to 1868, inclusive.

#### INTRODUCTION OF BILLS.

Mr. Sheldon, previous notice having been given, and leave being granted, introduced

A bill to amend act 273, of session laws of A. D. 1865, approved March 20, 1865, entitled "An act to amend section 821, it being section 29, of chapter 17 of compiled laws, relative to the payment of taxes to township treasurers.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Beall, previous notice having been given, and leave being granted, introduced

A bill to amend sections 188 and 195, of chapter 93, of the revised statutes of 1846, the same being sections 3840 and 3847 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road from the township of Chesaning to the township of Spaulding, all in the county of Saginaw, and to appropriate swamp lands to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to incorporate the village of Stanton,

Being under consideration,

On motion of Mr. Yawkey,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr Ashley,    | Mr. Hurlbut,    | Mr. Sheldon,    |
| Avery,        | Hutchinson,     | Shier,          |
| Baxter,       | Ingersoll,      | Sickels,        |
| Beall,        | Jewell,         | Slayton,        |
| Blake,        | F. G. Kendrick, | R. B. Smith,    |
| Bostwick,     | Klein,          | Snell,          |
| Boynton,      | Lee,            | Stannard,       |
| G. G. Briggs, | Mandigo,        | Stewart,        |
| Brownell,     | McKernan,       | Stockbridge,    |
| Cameron,      | Mead,           | Swift,          |
| Crossman,     | Miller,         | Thompson,       |
| Curry,        | Millington,     | Vowles,         |
| Davis,        | Mitchell,       | Wagner,         |
| Eck,          | Murray,         | Walker,         |
| Fancher,      | Norton,         | Ward,           |
| Fenner,       | Osborn,         | Weier,          |
| Fuller,       | Plimpton,       | Wendell,        |
| Gay,          | Purcell,        | Westover,       |
| Gifford,      | Putnam,         | White,          |
| Goodrich,     | Riford,         | J. A. Williams, |
| Harris,       | Romeyn,         | W. D. Williams, |
| Holt,         | Rowlson,        | Woodard,        |

|         |          |          |    |
|---------|----------|----------|----|
| Horton, | Sanford, | Yawkey,  |    |
| Hunt,   | Shaw,    | Speaker, | 72 |

## NAYS.

|              |   |
|--------------|---|
| Mr. Elliott, | 1 |
|--------------|---|

Title agreed to.

On motion of Mr. Plimpton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |    |
|---------------|-----------------|-----------------|----|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Sheldon,    |    |
| Avery,        | Hutchinson,     | Shier,          |    |
| Baxter,       | Ingersoll,      | Sickels,        |    |
| Beall,        | Jewell,         | Slayton,        |    |
| Blake,        | F. G. Kendrick, | R. B. Smith,    |    |
| Bostwick,     | Klein,          | Snell,          |    |
| Boynnton,     | Lee,            | Stannard,       |    |
| G. G. Briggs, | Mandigo,        | Stewart,        |    |
| Brownell,     | Mason,          | Stockbridge,    |    |
| Cameron,      | McKernan,       | Swift,          |    |
| Crossman,     | Mead,           | Thompson,       |    |
| Curry,        | Miller,         | Vowles,         |    |
| Davis,        | Millington,     | Wagner,         |    |
| Dusseau,      | Mitchell,       | Walker,         |    |
| Eck,          | Murray,         | Walton,         |    |
| Elliott,      | Norton,         | Ward,           |    |
| Fancher,      | Osborn,         | Weier,          |    |
| Fenner,       | Plimpton,       | Wendell,        |    |
| Fuller,       | Purcell,        | Westover,       |    |
| Gay,          | Putnam,         | White,          |    |
| Gifford,      | Riford,         | J. A. Williams, |    |
| Goodrich,     | Romeyn,         | W. D. Williams, |    |
| Harris,       | Rowlson,        | Woodard,        |    |
| Holt,         | Sanford,        | Yawkey,         |    |
| Horton,       | Shaw,           | Speaker,        |    |
| Hunt,         |                 |                 | 76 |

## NAYS.

0

Pending the announcement of the vote,

Mr. Ingersoll moved that Mr. Ward be excused from voting;  
Which motion did not prevail.

Mr. Ward then voted as recorded above.

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

On motion of Mr. Swift,

The rule requiring the second and third reading of bills to  
be on different days, was suspended, and the other bills on the  
order of third reading were put upon their passage.

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Ingersoll, in  
the county of Midland, for the year 1868,

Was read a third time and passed, a majority of all the  
members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Shaw,       |
| Avery,        | Hurlbut,        | Sheldon,        |
| Baxter,       | Hutchinson,     | Sickels,        |
| Beall,        | Ingersoll,      | Slayton,        |
| Blake,        | Jewell,         | R. B. Smith,    |
| Bostwick,     | L. Kendrick,    | Snell,          |
| Boynton,      | F. G. Kendrick, | Stannard,       |
| G. G. Briggs, | Klein,          | Sewart,         |
| Brownell,     | Lee,            | Stockbridge,    |
| Cameron,      | Mandigo,        | Swift,          |
| Crossman,     | Mason,          | Thompson,       |
| Curry,        | Mead,           | Vowles,         |
| Davis,        | Miller,         | Wagner,         |
| Dusseau,      | Millington,     | Walker,         |
| Eck,          | Mitchell,       | Ward,           |
| Elliott,      | Murray,         | Weier,          |
| Fancher,      | Norton,         | Wendell,        |
| Fenner,       | Osborn,         | Westover,       |
| Fuller,       | Plimpton,       | White,          |
| Gay,          | Purcell,        | J. A. Williams, |
| Gifford,      | Putnam,         | W. D. Williams, |
| Goodrich,     | Riford,         | Woodard,        |

|         |          |          |    |
|---------|----------|----------|----|
| Harris, | Romeyn,  | Yawkey,  |    |
| Horton, | Rowlson, | Speaker, | 72 |
|         | NAYS.    |          | 0  |

Title agreed to.

On motion of Mr. Fancher,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 2, entitled

A bill to designate the time, and provide the manner of electing United States Senators,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |    |
|---------------|-----------------|-----------------|----|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Sanford,    |    |
| Avery,        | Hurlbut,        | Shaw,           |    |
| Baxter,       | Hutchinson,     | Sheldon,        |    |
| Beall,        | Ingersoll,      | Shier,          |    |
| Blake,        | Jewell,         | Sickels,        |    |
| Bostwick,     | L. Kendrick,    | Slayton,        |    |
| Boynton,      | F. G. Kendrick, | Snell,          |    |
| G. G. Briggs, | Klein,          | Stannard,       |    |
| Brownell,     | Lee,            | Stewart,        |    |
| Cameron,      | Mandigo,        | Stockbridge,    |    |
| Crossman,     | Mason,          | Swift,          |    |
| Curry,        | McKernan,       | Thompson,       |    |
| Davis,        | Mead,           | Vowles,         |    |
| Dusseau,      | Miller,         | Wagner,         |    |
| Eck,          | Millington,     | Walker,         |    |
| Elliott,      | Mitchell,       | Ward,           |    |
| Fancher,      | Murray,         | Weier,          |    |
| Fenner,       | Norton,         | Wendell,        |    |
| Fuller,       | Osborn,         | Westover,       |    |
| Gay,          | Plimpton,       | White,          |    |
| Gifford,      | Purcell,        | J. A. Williams, |    |
| Goodrich,     | Putnam,         | W. D. Williams, |    |
| Harris,       | Riford,         | Woodard,        |    |
| Holt,         | Romeyn,         | Speaker,        | 74 |
| Horton,       | Rowlson,        |                 |    |

#### NAYS.

0

Title agreed to.

On motion of Mr. Mead,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Ward offered the following:

*Resolved*, That a special committee of five be appointed, to inquire by what authority, if any, the so-called Detroit & Milwaukee railroad company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill, or otherwise, as to said authority; and also, as to the general management of said road.

Mr. Mead moved to refer the resolution to the committee on banks and incorporations;

Which motion did not prevail.

The resolution was then adopted.

Mr. G. G. Briggs offered the following:

*Resolved*, That the committee on ways and means be and they are hereby directed to report to this House, for the guidance of the Clerk, the number of miles travel for which each member of the House will be entitled to draw mileage;

Which was adopted.

Mr. Holt moved to discharge the committee of the whole from the further consideration of House bill No. 2, entitled

A bill to legalize the tax rolls of the townships of Zeland, Blendon, Georgetown and Jamestown, in the county of Ottawa;

Which motion prevailed.

The bill was then recommitted to the committee on local taxation.

SPECIAL ORDER,

Being the consideration of House manuscript bill, entitled

A bill to legalize the tax roll of the township of Adama, in the county of Houghton, for the years 1867 and 1868.

The question being upon the passage of the bill,

The bill was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Harris,     | Mr. Rowleson,   |
| Avery,        | Holt,           | Sanford,        |
| Baxter,       | Horton,         | Shaw,           |
| Beall,        | Hunt,           | Sheldon,        |
| Blake,        | Hurlbut,        | Sickels,        |
| Boynnton,     | Hutchinson,     | Slayton,        |
| G. G. Briggs, | Ingersoll,      | Stewart,        |
| Brownell,     | Jewell,         | Stockbridge,    |
| Cameron,      | L. Kendrick,    | Swift,          |
| Crossman,     | F. G. Kendrick, | Thompson,       |
| Curry,        | Klein,          | Vowles,         |
| Davis,        | Lee,            | Wagner,         |
| Dusseau,      | Mason,          | Walker,         |
| Eck,          | McKernan,       | Weier,          |
| Fancher,      | Miller,         | Wendell,        |
| Fenner,       | Mitchell,       | White,          |
| Fuller,       | Norton,         | W. D. Williams, |
| Gay,          | Purcell,        | Woodard,        |
| Gifford,      | Riford,         | Speaker,        |
| Goodrich,     | Romeyn,         |                 |

59

## NAYS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Bostwick, | Mr. Osborn, | Mr. Stannard,   |
| Elliott,      | Plimpton,   | Ward,           |
| Mandigo,      | Putnam,     | Westover,       |
| Millington,   | Shier,      | J. A. Williams, |
| Murray,       | Snell,      |                 |

14

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Swift,

The House went into committee of the whole, on the general order,

Mr. Holt in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 7, entitled

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of the taxes therein;

2. House bill No. 8, entitled

A bill to legalize the tax roll of the township of Saginaw, in the county of Saginaw, for the year eighteen hundred and sixty-eight;

3. House bill No. 10, entitled

A bill to extend the time for the collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne;

4. House bill No. 11, entitled

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867;

5. Senate manuscript bill, entitled

A bill to provide for fixing the time for holding the circuit courts in the twelfth judicial district;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

6. House bill No. 9, entitled

A bill to provide for the registration of electors in new townships;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

H. H. HOLT, *Chairman.*

Report accepted and committee discharged.

The first five named bills were placed on the order of third reading.

On motion of Mr. R. B. Smith,

The amendments made to the sixth named bill were concurred



in, *en gross*, and the bill was placed on the order of third reading.

On motion of Mr. R. B. Smith,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, January 18, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave: Messrs. Crane, Crossman and Walton.

Mr. Shaw asked and obtained leave of absence for Mr. Crane, for the day.

Mr. Sanford asked and obtained leave of absence for Mr. Crossman, for the day.

Mr. Jewell asked and obtained leave of absence for Mr. Walton, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Miller: petition of T. W. Snook, Giles Hubbard, Oliver Chapaton and 141 others, citizens of the townships of Weston and Harrison, Macomb county, praying for the passage of a law authorizing said townships to raise by tax, \$2,500 for the purpose of improving the navigation of the Clinton river.

Referred to the committee on local taxation.

By Mr. Sickels: petition of Harry Marvin, J. O. Hathaway, Samuel Cross and 76 others, citizens of Ovid, Clinton county, asking for the passage of an amended charter of the village of Ovid, and for the enlargement of its present boundaries.

Referred to the committee on banks and incorporations.

By Mr. Sickels: petition of Charles Farmer, H. C. Baxter, H. Jenks and 76 others, citizens of Ovid, Clinton county, remonstrating against the enlargement of the present boundaries of the village of Ovid.

Referred to the committee on banks and incorporations.

By Mr. Lee: petition of J. West Hinchey and 217 others, citizens of Pinckney, Livingston county, asking for the passage of a law authorizing cities, towns and counties to borrow money and vote aid to the Michigan Air Line railroad company, which is now engaged in building a railroad across the States of Michigan and Indiana, to Chicago, Illinois, which said aid shall be granted whenever the said road shall have its track graded and iron down, and not to exceed ten per cent. of the assessed valuation of any municipality or town.

Referred to the committee on internal improvements.

By Mr. Elliott: petition of George H. Abrams and 15 others, asking the repeal of the law creating county superintendents of schools.

Referred to the committee on education.

By Mr. Ingersoll: petition of Charles Meseley, for change of name to Charles M. Fuller.

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the following resolution:

*Resolved*, (the Senate concurring,) That the Attorney General of this State be instructed to proceed to collect the claims known as the Phoenix bank claim and Hazelton claim, and that he have authority to employ counsel, should it be necessary,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be adopted, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the adoption of the resolution.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred Senate manuscript bill, entitled

A bill to authorize the city of Lansing, in the county of Ingham, to vote aid to the Ionia and Lansing railroad, under the provisions of act No. 324, of the session laws of 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. B. Smith,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of taxes in the city of Flint, in the county of Genesee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 4, being

A bill to provide for the payment of the officers and members of the Legislature, for the year eighteen hundred and sixty-nine,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Holt,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on local taxation.

The committee on local taxation, to whom was referred

A bill to amend sections 45, 46 and 48, of chapter 17, of the compiled laws, relative to the collection of taxes on personal property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order

By the committee on harbors:

The committee on harbors, to whom was referred

A bill for the protection of buoys and beacons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. NORTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax rolls of the townships of Zeland, Blanden, Georgetown and Jamestown, in the county of Ottawa,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to legalize the tax rolls of the townships of Zeland, Blanden, Georgetown and Jamestown, in the county of Ottawa;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Norton,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on harbors:

The committee on harbors, to whom was referred

Joint resolution asking Senators and Representatives in Congress, from Michigan, to secure the passage of the river and harbor appropriation bill, now pending in the United States Senate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. NORTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SPECIAL COMMITTEES.

The special joint committee, to whom was referred the following resolution, viz:

*Resolved*, (the Senate concurring,) That a joint committee, consisting of two from the House and one from the Senate, be appointed to communicate with the postmasters at Owosso, Lansing and Jackson, and the officers of the Jackson, Lansing and Saginaw railroad company, for the purpose of the more speedy transmission of mails to and from this point, during the present session of the Legislature;

Would respectfully report that they, in company with Col. Jones, the postmaster of this city, have had a conference with the officers of said railroad company, (Messrs. Hayden and Barnes,) and have received assurance from them that all would be done in their power to accommodate the members of the Legislature in the speedy receipt and transmission of mails, and that they would, for that purpose, on and after Monday, 16th January, 1869, run a special train from Jackson to this place, arriving here at 1:30 p. m., bringing the mail, papers, &c., transmitted from Detroit of the same day, by the morning express on the Michigan Central railroad, said special train returning at 2:10 p. m., to connect with the afternoon train going east on the Michigan Central railroad. Also that they would run the afternoon accommodation train from Owosso, so as to bring the mails arriving at Owosso the same day on the D. & M. R. R., and also will run their train from this place to Owosso in time to have the mails transmitted east and west on the D. & M. R. R. of the same day.

Your committee have not communicated with the postmasters at Owosso and Jackson, for the reason that they were assured by Col. Jones, the postmaster of this place, that he would make the necessary arrangements with the mail route agents on the several roads, for having the mails transmitted on the roads as above specified.

And your committee would beg leave to express their thanks to the officers of the J., L. & S. R. R. Co., and the postmaster of this city, for the prompt and cheerful manner in which they have acceded to the wishes of your committee.

And your committee ask to be discharged from the further consideration of the matter.

D. HORTON,

C. MILES,

T. G. SMITH,

*Committee.*

Report accepted and committee discharged.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Jan. 9, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following:

An act to extend the time for the collection of taxes in the township of Thornapple, in the county of Barry, for the year eighteen hundred and sixty-eight.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to extend the time for the collection of taxes assessed for the construction of ditches in the township of Fairgrove, in the county of Tuscola;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

NOTICES.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to define the duties and powers of highway commissioners in certain cases.

Mr. Mead gave notice that on some future day he would ask leave to introduce

Joint resolution proposing an amendment to section one, article nine, of the constitution of this State, relative to the salaries of judges of the circuit court.

Mr. Curry gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for a grant of land, to aid in the construction of a railroad from some point at or near East Saginaw, Mich., thence by way of Straits of Mackinac, Superior City, across northern Wisconsin and Minnesota, to some point on the Pacific coast;

Also,

A bill regulating the powers and duties of commissioners of highways, of townships, in locating ditches, drains and water-courses, and providing for appeals in all cases where parties are aggrieved.

Mr. Eaton gave notice that on some future day he would ask leave to introduce

A bill to amend section 7 of an act to authorize the formation of corporations for literary and scientific purposes, approved March 21, 1865.

Mr. Fancher gave notice that on some future day he would ask leave to introduce



A bill to amend section 5887, of compiled laws, the same being in relation to the adulteration and sale of food and liquors.

Mr. Stockbridge gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Saugatuck.

#### INTRODUCTION OF BILLS.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to change the name of Charles Moseley to Charles M. Fuller.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill making guaranties of promissory notes negotiable, and providing that they shall pass to the holders of such notes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### THIRD READING OF BILLS.

House bill No. 7, entitled

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of the taxes therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowson,  |
| Avery,        | Hunt,           | Sanford,     |
| Barnaby,      | Hurlbut,        | Shaw,        |
| Baxter,       | Hutchinson,     | Sheldon,     |
| Beall,        | Ingersoll,      | Shier,       |
| Blake,        | Jewell,         | Sickels,     |
| Bostwick,     | L. Kendrick,    | Slayton,     |
| Boynton,      | F. G. Kendrick, | R. B. Smith, |
| G. G. Briggs, | Kingsley,       | Snell,       |
| Brownell,     | Klein,          | Stannard,    |
| Cameron,      | Lee,            | Stewart,     |

|           |             |                 |
|-----------|-------------|-----------------|
| B. Clark, | Mandigo,    | Stockbridge,    |
| Curry,    | Mason,      | Swift,          |
| Davis,    | McKernan,   | Thompson,       |
| Dusseau,  | Mead,       | Vowles,         |
| Eaton,    | Miller,     | Wagner,         |
| Eck,      | Millington, | Walker,         |
| Elliott,  | Mitchell,   | Weier,          |
| Fancher,  | Murray,     | Wendell,        |
| Fenner,   | Norton,     | White,          |
| Fuller,   | Osborn,     | J. A. Williams, |
| Gay,      | Plimpton,   | W. D. Williams, |
| Gifford,  | Purcell,    | Woodard,        |
| Goodrich, | Putnam,     | Yawkey,         |
| Harris,   | Riford,     | Speaker,        |
| Holt,     | Romeyn,     |                 |
|           | NAYS.       | 77              |
|           |             | 0               |

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 8, entitled

A bill to legalize the tax roll of the township of Saginaw, in the county of Saginaw, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hurlbut,    | Mr. Sanford, |
| Barnaby,      | Hutchinson,     | Shaw,        |
| Baxter,       | Ingersoll,      | Sheldon,     |
| Beall,        | Jewell,         | Shier,       |
| Bostwick,     | L. Kendrick,    | Sickels,     |
| Boynton,      | F. G. Kendrick, | Slayton,     |
| G. G. Briggs, | Kingale,        | R. B. Smith, |
| Brownell,     | Klein,          | Snell,       |
| Cameron,      | Lee,            | Stannard,    |
| B. Clark,     | Mandigo,        | Stewart,     |
| Curry,        | Mason,          | Stockbridge, |
| Davis,        | McKernan,       | Swift,       |
| Dusseau,      | Mead,           | Thompson,    |
| Eaton,        | Miller,         | Vowles,      |
| Eck,          | Millington,     | Wagner,      |
| Fancher,      | Mitchell,       | Walker,      |
| Fenner,       | Murray,         | Weier,       |

|           |           |                 |
|-----------|-----------|-----------------|
| Fuller,   | Norton,   | Wendell,        |
| Gay,      | Osborn,   | White,          |
| Gifford,  | Plimpton, | J. A. Williams, |
| Goodrich, | Purcell,  | W. D. Williams, |
| Harris,   | Putnam,   | Woodard,        |
| Holt,     | Riford,   | Yawkey,         |
| Horton,   | Romeyn,   | Speaker,        |
| Hunt,     | Rowlson,  |                 |

74

## NAYS.

Mr. Elliott,

1

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 9, entitled

A bill to provide for the registration of electors in new townships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Romeyn,     |
| Avery,        | Hunt,           | Rowlson,        |
| Barnaby,      | Hurlbut,        | Sanford,        |
| Baxter,       | Hutchinson,     | Shaw,           |
| Beall,        | Ingersoll,      | Sheldon,        |
| Blake,        | Jewell,         | Shier,          |
| Bostwick,     | L. Kendrick,    | Sickles,        |
| Boynton,      | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingale,        | R. B. Smith,    |
| Brownell,     | Klein,          | Snell,          |
| Cameron,      | Lee,            | Stannard,       |
| B. Clark,     | Mandigo,        | Stewart,        |
| Curry,        | Mason,          | Stockbridge,    |
| Davis,        | McKernan,       | Swift,          |
| Dussean,      | Mead,           | Vowles,         |
| Eaton,        | Miller,         | Wagner,         |
| Eck,          | Millington,     | Walker,         |
| Elliott,      | Mitchell,       | Weier,          |
| Fancher,      | Murray,         | Wendell,        |
| Fenner,       | Norton,         | White,          |
| Fuller,       | Osborn,         | J. A. Williams, |
| Gay,          | Plimpton,       | W. D. Williams, |
| Gifford,      | Purcell,        | Woodard,        |

Goodrich,  
Harris,  
Holt,

Putnam,  
Riford,

Yawkey,  
Speaker,

76

NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 10, entitled

A bill to extend the time for the collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
Curry,  
Davis,  
Dussean,  
Eaton,  
Eck,  
Elliot,  
Fancher,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Harris,

Mr. Holt,  
Horton,  
Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Mandigo,  
Mason,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,

Mr. Riford,  
Romeyn,  
Rowlson,  
Sanford,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Vowles,  
Wagner,  
Weier,  
Wendell,  
White,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

75

NAYS.

0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 11, entitled

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Gifford, | Mr. Sanford,    |
| Avery,        | Goodrich,    | Shaw,           |
| Barnaby,      | Holt,        | Shier,          |
| Baxter,       | Hunt,        | Sickels,        |
| Beall,        | Hutchinson,  | Slayton,        |
| Blake,        | Ingersoll,   | R. B. Smith,    |
| Boynton,      | Klein,       | Snell,          |
| G. G. Briggs, | Lee,         | Stannard,       |
| Cameron,      | Mandigo,     | Stewart,        |
| B. Clark,     | McKernan,    | Stockbridge,    |
| Croesman,     | Mead,        | Swift,          |
| Curry,        | Miller,      | Vowles,         |
| Davis,        | Mitchell,    | Wagner,         |
| Dusseau,      | Norton,      | Weier,          |
| Eaton,        | Osborn,      | Wendell,        |
| Eck,          | Purcell,     | White,          |
| Elliott,      | Riford,      | W. D. Williams, |
| Fancher,      | Romeyn,      | Yawkey,         |
| Fuller,       | Rowlson,     | Speaker,        |
| Gay,          |              |                 |

58

#### NAYS.

|               |                  |                 |
|---------------|------------------|-----------------|
| Mr. Bostwick, | Mr. L. Kendrick, | Mr. Plimpton,   |
| Brownell,     | F. G. Kendrick,  | Putnam,         |
| Fenner,       | Kingsley,        | Sheldon,        |
| Harris,       | Mason,           | Walker,         |
| Horton,,      | Millington,      | J. A. Williams, |
| Hurlbut,      | Murray,          | Woodard,        |
| Jewell,       |                  |                 |

19

Title agreed to.

Senate manuscript bill, entitled

A bill to provide for fixing the time for holding the circuit courts in the twelfth judicial district,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Romeyn,     |
| Avery,        | Horton,         | Rowlson,        |
| Barnaby,      | Hunt,           | Sanford,        |
| Baxter,       | Hurlbut,        | Shaw,           |
| Beall,        | Hutchinson,     | Sheldon,        |
| Blake,        | Ingersoll,      | Shier,          |
| Bostwick,     | Jewell,         | Sickels,        |
| Boynton,      | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingalev,       | R. B. Smith,    |
| Brownell,     | Klein,          | Snell,          |
| Cameron,      | Lee,            | Stannard,       |
| B. Clark,     | Mandigo,        | Stewart,        |
| Crossman,     | Mason,          | Stockbridge,    |
| Curry,        | McKernan,       | Swift,          |
| Davis,        | Mead,           | Thompson,       |
| Dusseau,      | Miller,         | Vowles,         |
| Eaton,        | Millington,     | Wagner,         |
| Eck,          | Mitchell,       | Walker,         |
| Elliott,      | Murray,         | Weier,          |
| Fancher,      | Norton,         | Wendell,        |
| Fenner,       | Osborn,         | White,          |
| Fuller,       | Plimpton,       | J. A. Williams, |
| Gay,          | Purcell,        | W. D. Williams, |
| Gifford,      | Putnam,         | Yawkey,         |
| Goodrich,     | Riford,         | Speaker,        |
| Harris,       |                 |                 |
|               | NAYS.           | 76              |
|               |                 | 0               |

The question being upon agreeing to the title,

Mr. Mead moved to strike out the word "district," and insert "circuit" in lieu thereof;

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. W. D. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to authorize the city of Lansing, in the county of Ingham, to vote aid to the Ionia and Lansing railroad company, under the provisions of act No. 324, of session laws of 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Goodrich,   | Mr. Riford,  |
| Avery,        | Harris,         | Romeyn,      |
| Barnaby,      | Holt,           | Rowlson,     |
| Baxter,       | Horton,         | Sanford,     |
| Beall,        | Hunt,           | Shaw,        |
| Blake,        | Hurlbut,        | Sheldon,     |
| Bostwick,     | Hutchinson,     | Shier,       |
| Boynton,      | Ingersoll,      | Sickels,     |
| G. G. Briggs, | Jewell,         | Slayton,     |
| Brownell,     | L. Kendrick,    | R. B. Smith, |
| Cameron,      | F. G. Kendrick, | Snell,       |
| B. Clark,     | Kingsley,       | Stewart,     |
| Crossman,     | Klein,          | Stockbridge, |
| Curry,        | Lee,            | Swift,       |
| Davis,        | Mason,          | Thompson,    |
| Dussseau,     | McKernan,       | Wagner,      |
| Eaton,        | Mead,           | Walker,      |
| Eck,          | Miller,         | Weier,       |
| Elliott,      | Mitchell,       | Wendell,     |
| Fancher,      | Norton,         | Woodard,     |
| Fuller,       | Osborn,         | Yawkey,      |
| Gay,          | Plimpton,       | Speaker,     |
| Gifford,      | Purcell,        |              |

68

NAYS.

|             |             |                   |
|-------------|-------------|-------------------|
| Mr. Fenner, | Mr. Murray, | Mr. Vowles,       |
| Mandigo,    | Putnam,     | White,            |
| Millington, | Stannard,   | J. A. Williams, 9 |

Title agreed to.

On motion of Mr. R. B. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled,

A bill to extend the time for the collection of taxes in the city of Flint, in the county of Genesee,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowlson,    |
| Avery,        | Hunt,           | Sanford,        |
| Barnaby,      | Hurlbut,        | Shaw,           |
| Baxter,       | Hutchinson,     | Sheldon,        |
| Beall,        | Ingersoll,      | Shier,          |
| Blake,        | Jewell,         | Sickels,        |
| Bostwick,     | L. Kendrick,    | Slayton,        |
| Boynton,      | F. G. Kendrick, | R. B. Smith,    |
| G. G. Briggs, | Kingsley,       | Snell,          |
| Brownell,     | Klein,          | Stannard,       |
| Cameron,      | Lee,            | Stewart,        |
| B. Clark,     | Mandigo,        | Stockbridge,    |
| Crossman,     | Mason,          | Swift,          |
| Curry,        | McKernan,       | Thompson,       |
| Davis,        | Mead,           | Vowles,         |
| Dussean,      | Miller,         | Wagner,         |
| Eaton,        | Millington,     | Walker,         |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fancher,      | Norton,         | White,          |
| Fenner,       | Osborn,         | J. A. Williams, |
| Fuller,       | Plimpton,       | W. D. Williams, |
| Gay,          | Purcell,        | Woodard,        |
| Gifford,      | Putnam,         | Yawkey,         |
| Goodrich,     | Riford,         | Speaker,        |
| Harris,       | Romeyn,         | 76              |

## NAYS.

0

Title agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 4, entitled

A bill to provide for the payment of the officers and members of the Legislature, for the year 1869.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |           |             |
|-------------|-----------|-------------|
| Mr. Ashley, | Mr. Holt, | Mr. Romeyn, |
| Avery,      | Horton,   | Rowlson,    |



|               |                 |                 |
|---------------|-----------------|-----------------|
| Barnaby,      | Hunt,           | Sanford,        |
| Baxter,       | Hurlbut,        | Shaw,           |
| Beall,        | Hutchinson,     | Sheldon,        |
| Blake,        | Ingersoll,      | Shier,          |
| Bostwick,     | Jewell,         | Sickels,        |
| Boynton,      | L. Kendrick,    | R. B. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| Brownell,     | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lee,            | Stockbridge,    |
| Crossman,     | Mandigo,        | Swift,          |
| Curry,        | Mason,          | Thompson,       |
| Davis,        | McKernan,       | Vowles,         |
| Dusseau,      | Mead,           | Wagner,         |
| Eaton,        | Miller,         | Walker,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fancher,      | Murray,         | Wendell,        |
| Fenner,       | Norton,         | White,          |
| Fuller,       | Osborn,         | J. A. Williams, |
| Gay,          | Plimpton,       | W. D. Williams, |
| Gifford,      | Purcell,        | Woodard,        |
| Goodrich,     | Putnam,         | Yawkey,         |
| Harris,       | Riford,         | Speaker, 78     |

## NAYS.

Mr. Slayton, 1

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the tax rolls of the townships of Zeland, Blendon, Georgetown and Jamestown, in the county of Ottawa,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |             |              |
|-------------|-------------|--------------|
| Mr. Ashley, | Mr. Holt,   | Mr. Romeyn,  |
| Avery,      | Horton,     | Rowlson,     |
| Barnaby,    | Hunt,       | Shaw,        |
| Baxter,     | Hurlbut,    | Sheldon,     |
| Beall,      | Hutchinson, | Sickels,     |
| Blake,      | Ingersoll,  | Slayton,     |
| Bostwick,   | Jewell,     | R. B. Smith, |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Boynton,      | L. Kendrick,    | Snell,          |
| G. G. Briggs, | F. G. Kendrick, | Stannard,       |
| Brownell,     | Kingsley,       | Stewart,        |
| Cameron,      | Klein,          | Stockbridge,    |
| B. Clark,     | Lee,            | Swift,          |
| Crossman,     | Mandigo,        | Thompson,       |
| Curry,        | Mason,          | Vowles,         |
| Davis,        | McKernan,       | Wagner,         |
| Dusseau,      | Mead,           | Walker,         |
| Eaton,        | Miller,         | Ward,           |
| Eck,          | Millington,     | Weier,          |
| Elliott,      | Mitchell,       | Wendell,        |
| Fancher,      | Murray,         | White,          |
| Fenner,       | Norton,         | J. A. Williams, |
| Fuller,       | Osborn,         | W. D. Williams, |
| Gay,          | Plimpton,       | Woodard,        |
| Gifford,      | Puroell,        | Yawkey,         |
| Goodrich,     | Putnam,         | Speaker,        |
| Harria,       | Riford,         |                 |
|               | NAYS.           | 77              |
|               |                 | 0               |

The question being upon agreeing to the title,

Mr. Holt moved to amend the title by striking out the words "the tax rolls," and inserting the words "certain taxes" in lieu thereof, and by adding after the word "Ottawa," the words "for the year 1868;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Norton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Blake offered the following:

*Resolved*, That a committee of three members be appointed by the Speaker, to investigate matters pertaining to that portion of the so-called Berlin and Georgetown State road which extends through the township of Jamestown, in the county of Ottawa, with authority to send for persons and papers;

Which was adopted.

Mr. Dusseau offered the following:

*Resolved*, That the committee appointed to wait upon the

resident clergymen of Lansing, to invite them to officiate alternately, as chaplain of this House during its session, report as soon as convenient, to this House, and state whether they have discharged their duties, as such committee;

Mr. Shier moved to amend the resolution, so as to allow the committee to make, at this time, a verbal report;

Which motion prevailed.

The resolution, as amended, was then adopted.

Mr. Snell offered the following:

*Resolved*, That the Sergeant-at-Arms be and is hereby instructed to procure suitable lanterns—one to be placed in a position to light the front steps of this House, and one so placed as to light the steps near the front gate.

Mr. Wilcox moved to amend the resolution, by adding thereto, "and one so as to light the north gate;"

Which motion did not prevail.

Mr. Ingersoll moved to amend the resolution, by adding thereto, "and one at or near the west gate;"

Which was accepted.

Mr. Klein moved to further amend, by adding "and that the lanterns be lighted nights;"

Which was accepted.

The resolution, as amended, was then adopted.

Mr. Ingersoll offered the following:

*Resolved*, That 1,000 copies each of the reports of the Board of Trustees of the Reform School, Auditor General, Commissioner of the State Land Office, State Treasurer, Inspectors of the State Prison, Trustees of Michigan Asylum for Deaf, Dumb and Blind, and of the Trustees of the Asylum for the Insane, and 200 copies each of the reports of the Quartermaster General, Board of State Auditors, and Superintendent of the St. Mary's Falls Ship Canal, be printed for the use of the House of Representatives.

Mr. Plimpton moved to amend by inserting "and Secretary of the Board of Agriculture, in pamphlet form," after the word "Insane;"

Which was accepted.

The resolution, as amended, was then adopted.

GENERAL ORDER.

On motion of Mr. Mead,

The House went into committee of the whole, on the general order,

Mr. Slayton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 13 entitled

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Tuesday, January 19, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Baldwin.

Roll called: quorum present.

The Speaker announced as the special committee to investigate matters pertaining to that portion of the so-called Berlin and Georgetown State road, which extends through the township of Jamestown, in the county of Ottawa, Messrs. Blake, Fuller and Holt.

Also, as special committee to investigate by what authority the so-called Detroit & Milwaukee Railroad are exercising the powers and privileges of a corporate body, Messrs. Ward, Plimpton, Curry, Miller and Cogshall.

PRESENTATION OF PETITIONS.

By Mr. Huston: petition of Wm. E. Sherman and 25 others, citizens of the village of Centreville, Tuscola county, asking that the name of said village be changed to Caro.

Referred to the committee on State affairs.

By Mr. Huston: petition of 19 supervisors and 25 citizens of Centreville, Tuscola county, asking for a State road from Bay City, by the way of Centreville, in Tuscola county, to Lapeer, and for an appropriation of one section of State swamp lands to the mile, to secure the construction of the same.

Referred to the committee on public lands.

By Mr. R. V. Briggs: petition of John F. W. Hoersch and 9 others, residents of the city of Wyandotte, and township of Ecorse, Wayne county, asking for extension of the time for collection of taxes, for the year 1868.

Referred to the committee on local taxation.

By Mr. Eaton: petition of O. N. Sanford and 37 others, citizens of the State of Michigan, praying that sections 1538, 1589 and 1590 of the compiled laws of this State be repealed, so far as the same relates to the playing of billiards and keeping billiard tables for hire, or that such sections and the laws now in force be so amended that licenses may be granted therefor.

Referred to the committee on State affairs.

By Mr. Mason: petition of H. M. Henderson, Oscar Adams, George Crocker and 64 others, citizens of Genesee county, asking for the repeal of the so-called drainage laws, or the amendment of the same.

Referred to the committee on drainage.

By Mr. Plimpton: petition of Wm. Spinner, Thos. Wilson, Miles Buck, S. Moore, J. K. Finley, A. M. Lapiere, R. Fowler,

C. L. Barrows, Wm. G. Ferson and 32 others, colored and other citizens of Niles, Berrien county, asking for a joint resolution to submit the suffrage question as an amendment to the constitution to the people of this State.

Referred to the committee on the judiciary.

By Mr. Mason: petition of T. O. Townsend, T. E. W. Adams, and 82 other citizens of the township of Davison, county of Genesee, praying for an appropriation to assist in draining the extensive swamp in the eastern portion of said township.

Referred to the committee on public lands.

By Mr. B. Clark: petition of C. J. Murray and 27 others, citizens of Homer, Calhoun county, asking for a law allowing the municipalities on the line of the Michigan Air Line railroad to vote aid thereto, said aid to be delivered when said road is ironed and ready for the cars, through such municipality.

Also: petition of E. R. Smith, J. N. Westcott, and 18 others, for the same purpose;

Referred to the committee on internal improvements.

By Mr. Walton: petition of the board of supervisors of Lenawee county, asking the repeal of the law of 1867, establishing county superintendents of common schools.

Referred to the committee on education.

By Mr. Boynton: petition of Andrew Hensel, John Clark, R. Jerome and 84 others, citizens of the townships of China and East China, asking for the passage of a law to consolidate the townships of China and East China, in the county of St. Clair, and organize therefrom the townships of Carleton and China.

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill making guaranties of promissory notes negotiable, and providing that they shall pass to the holders of such notes;

Also,

A bill authorizing circuit courts, sitting in chancery, to refer causes pending in chancery, to special commissioners,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the returns of taxes for the county of Shiawassee, for the year 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

Mr. Ingersoll moved that the rules be suspended, and the bill be placed on the order of third reading;

Which motion did not prevail.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill to change the name of the village of Vienna, in the county of Monroe, to that of Erie;

Also,

A bill to authorize school district No. 7, of the township of Pennfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house;

Also,

A bill to extend the time for the collection of taxes in the township of Richmond, in the county of Macomb;

Also,

A bill to extend the time for the collection of taxes assessed for the construction of ditches in the township of Fairgrove, in the county of Tuscola.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of Rollin Wood, for the repeal of an act entitled "An act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence," have had the same under consideration, and have directed me to report adversely to the prayer of the petitioner, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. R. B. Smith,

The petition was laid on the table.

#### NOTICES.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill to establish an institution of learning, to be called the Michigan Female College;

Also,

A bill requiring the State Treasurer to settle with and pay to the various county treasurers, all non-resident taxes on lands bid off by the State, after the time for redemption has expired;

Also,

A bill declaring the election to be held on the first Monday of April next, and each two years thereafter, to be general elections.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce



A bill to amend sections 1314 and 1317, and repeal sections 1315 and 1316 of the compiled laws, relative to the interest of money.

Mr. Norton gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 216, of the laws of 1861, and the acts amendatory thereto, viz: act No. 240, laws of 1865, and acts No. 4, 127 and 149, laws of 1867, and submit a single act in their place, to provide for draining swamps, marshes, and other low lands.

Mr. F. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to change the name of William A. Bullock, of Watertown, Clinton county, to William Deits.

Mr. Avery gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the trustees of the Baptist society, in the village of Greenville, Montcalm county, in conveying certain real estate.

Mr. Riopelle gave notice that on some future day he would ask leave to introduce

A bill to prohibit prize fighting within the State of Michigan.

Mr. Clark gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes, for the year 1868, in the township of Albion, in the county of Calhoun.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to consolidate the townships of China and East China, in the county of St. Clair, and organize therefrom the townships of Carleton and China.

Mr. Hurlbut gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of South Haven;

Also,

A bill to provide for the submission of an amendment to section 1, article 7, of the constitution, defining the qualification of electors.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill for the protection of fish.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill relative to interest upon installments falling due upon written contracts.

Mr. Ward gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Laingsburg.

Mr. Cogshall gave notice that on some future day he would ask leave to introduce

A bill to legalize the village tax roll of the village of Holly, in Oakland county, and to extend the time for the collection of taxes therein.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill granting the right of way through lands owned by the State, for a railroad in Menominee county;

Also,

A bill to provide for the incorporation of manufacturing, mechanical and trading companies;

Also,

A bill relating to places of residence of judges of the circuit courts;

Also,

Joint resolution requesting our members in Congress to use their influence in procuring the passage of an act granting the right of way and aid for the purpose of building a railroad from the shore of Green Bay, Menominee county, to the iron mines in said county.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to change the name of Matey Spaulding to Matey Dakin.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill authorizing the Kalamazoo town agricultural society for improving the breed of horses to sell and dispose of its real estate.

Mr. Horton gave notice that on some future day he would ask leave to introduce

A bill to authorize any of the several townships and cities upon and contiguous to or coterminous with the proposed line of railroad from the city of Detroit, to run northwesterly by way of the village of Fenton and Saginaw valley, to some point on the northwestern boundary of the State, to aid in its construction.

Mr. L. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to increase the number of county superintendents of schools, and determine the amount of their salaries.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw.

#### INTRODUCTION OF BILLS.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to define the powers and duties of highway commissioners in certain cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section 30 of an act entitled an act to define the powers and duties of the boards of supervisors of the sev-

eral counties, and to confer upon them certain local, administrative and legislative powers, being section 364 of compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee.

The bill was read a first and second time by its title, and referred to the committee on harbors.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to enable the Jackson, Lansing and Saginaw Railroad Company to change the northern terminus of its railroad, to some point on Lake Superior, without prejudice to its rights.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Huston, unanimous consent being given, introduced

A bill to change the name of the village of Centreville, in the county of Tuscola, to that of Caro.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the city of Wyandotte, and the township of Ecorse, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ternes, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to regulate the size of dry or packing barrels, for fruits, roots, and vegetables.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to amend section 30, of chapter 10, of the compiled laws, in relation to the compensation of members of boards of supervisors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. L. Kendrick, previous notice having been given, and leave being granted, introduced

A bill to amend "An act to provide for the appointment of trustees in certain cases," approved February 17th, 1857.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. W. D. Williams, previous notice having been given, and leave being granted, introduced

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagon river.

The joint resolution was read a first and second time by its title, and referred to the committee on harbors.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to incorporate the village of Lawton.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mead, previous notice having been given, and leave being granted, introduced

Joint resolution proposing an amendment to section 1, article 9, of the constitution of this State, relative to the salaries of judges of the circuit court.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sickels, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Ovid.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. B. Clark, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes for the year 1868, in the township of Albion, in the county of Calhoun.

On motion of Mr. Clark,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Miller, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to prevent fishing with seines, and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Calhoun and Macomb, approved March 9th, 1867.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Avery, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships in the counties of Ionia, Montcalm and Kent, to vote a tax or borrow money, to aid in the construction of a railroad from the city of Marshall, in the county of Calhoun, to the village of Greenville, in Montcalm county, by the way of Muir and Palo, in Ionia county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Hutchinson, previous notice having been given, and leave being granted, introduced

Joint resolution proposing an amendment to section one, article eleven, of the constitution of Michigan, in relation to altering the time for holding township meetings.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fanner, previous notice having been given, and leave being granted, introduced

A bill to amend sections 66, 69, 72, 73, 76, 77, 78, 80, 81, 83, 88, 89, 90, 91, 93, 95, 96, 98, 99, 103, 106, 135, and to repeal sections 67, 70, 74, 75, 79, 82, 87, 94, 97, 100, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 136, 145, 154, of chapter 17, of compiled laws, the same being an act regulating the assessment and collection of taxes.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

#### THIRD READING OF BILLS.

House bill No. 13, entitled

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowson,  |
| Avery,        | Hubbard,        | Sanford,     |
| Barnaby,      | Hunt,           | Shaw,        |
| Baxter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Shier,       |
| Blake,        | Hutchinson,     | Sickels,     |
| Bostwick,     | Ingersoll,      | Slayton,     |
| Boynton,      | Jewell,         | F. L. Smith, |
| G. G. Briggs, | L. Kendrick,    | R. B. Smith, |
| R. V. Briggs, | F. G. Kendrick, | Snell,       |
| Brownell,     | Kingsley,       | Stannard,    |
| Cameron,      | Klein,          | Stewart,     |
| B. Clark,     | Lane,           | Stockbridge, |
| O. Clark,     | Lee,            | Swift,       |
| Cogshall,     | Lovell,         | Ternes,      |
| Crane,        | Mandigo,        | Thompson,    |
| Crossman,     | Mason,          | Vowles,      |
| Curry,        | McCowen,        | Wagner,      |
| Davis,        | McKernan,       | Walker,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Dusseau,  | Mead,       | Walton,         |
| Eaton,    | Miller,     | Ward,           |
| Eck,      | Millington, | Weier,          |
| Elliott,  | Mitchell,   | Wendell,        |
| Fancher,  | Murray,     | Westover,       |
| Fenner,   | Norton,     | White,          |
| Fuller,   | Osborn,     | Wilcox,         |
| Gay,      | Plimpton,   | H. G. Williams, |
| Gifford,  | Purcell,    | J. A. Williams, |
| Goodrich, | Putnam,     | W. D. Williams, |
| Harris,   | Riford,     | Woodard,        |
| Hartson,  | Riopelle,   | Yawkey,         |
| Holt,     | Romeyn,     | Speaker, 96     |
|           | NAYS.       | 0               |

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Mason,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes for the year 1868, in the township of Albion, in the county of Calhoun,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |               |
|---------------|-----------------|---------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowleson, |
| Avery         | Hubbard,        | Sanford,      |
| Barnaby,      | Hunt,           | Shaw,         |
| Baxter,       | Hurlbut,        | Sheldon,      |
| Beall,        | Huston,         | Shier,        |
| Blake,        | Hutchinson,     | Sickels,      |
| Bostwick,     | Ingersoll,      | Slayton,      |
| Boynton,      | Jewell,         | F. L. Smith,  |
| G. G. Briggs, | L. Kendrick,    | R. B. Smith,  |
| R. V. Briggs, | F. G. Kendrick, | Snell,        |
| Brownell,     | Kingsley,       | Stannard,     |
| Cameron,      | Klein,          | Stewart,      |
| B. Clark,     | Lane,           | Stockbridge,  |
| O. Clark,     | Lee,            | Swift,        |



|           |             |                 |    |
|-----------|-------------|-----------------|----|
| Cogshall, | Lovell,     | Ternes,         |    |
| Crane,    | Mandigo,    | Thompson,       |    |
| Crossman, | Mason,      | Vowles,         |    |
| Curry,    | McCowen,    | Wagner,         |    |
| Davis,    | McKernan,   | Walker,         |    |
| Dussseau, | Mead,       | Walton,         |    |
| Eaton,    | Miller,     | Ward,           |    |
| Eck,      | Millington, | Weier,          |    |
| Elliott,  | Mitchell,   | Wendell,        |    |
| Fancher,  | Murray,     | Westover,       |    |
| Fenner,   | Norton,     | Wilcox,         |    |
| Fuller,   | Osborn,     | H. G. Williams, |    |
| Gay,      | Plimpton,   | J. A. Williams, |    |
| Gifford,  | Purcell,    | W. D. Williams, |    |
| Goodrich, | Putnam,     | Woodard,        |    |
| Harris,   | Riford,     | Yawkey,         |    |
| Hartson,  | Riopelle,   | Speaker,        | 95 |
| Holt,     | Romeyn,     |                 |    |
|           | NAYS.       |                 | 0  |

Title agreed to.

On motion of Mr. B. Clark,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. McKernan offered the following:

*Whereas*, It is of the greatest importance that the "Northern Pacific railroad" should be completed as soon as possible; therefore

*Resolved*, (the Senate concurring,) That the committees on internal improvements of the House and Senate, act as a joint committee, to report as soon as convenient, what action it is necessary for this Legislature to take, to aid in forwarding the early construction of the "Northern Pacific railroad."

Laid on the table for one day, under the rules.

Mr. Walker offered the following:

*Resolved*, That we pass no bills, except those extending the time for collection of taxes, until they have been referred to their proper committees, and placed on the general order.

Mr. Baxter moved to amend by also requiring all bills to be printed;

Which amendment was accepted.

Mr. Walker withdrew the resolution.

Mr. W. D. Williams offered the following:

*Resolved*, That the judiciary committee be instructed to inquire into the propriety of the Legislature authorizing a new compilation of the laws of this State, and to report to this House by bill or otherwise;

Which was adopted.

Mr. Kingsley offered the following:

*Resolved*, That the committee on education be instructed to visit the University of Michigan and the State Normal School, at the time the other committees visit the other State institutions;

Which was adopted.

Mr. Ingersoll moved to discharge the committee of the whole from the further consideration of Senate bill No. 8, entitled

A bill to legalize the returns of taxes for the county of Shiawassee, for the year 1867;

Which motion prevailed.

On motion of Mr. Yawkey,

The rules were suspended, and the bill was put upon its immediate passage.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr Ashley,    | Mr. Horton,     | Mr. Rowson,  |
| Avery,        | Hubbard,        | Sanford,     |
| Barnaby,      | Hunt,           | Shaw,        |
| Baxter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Shier,       |
| Blake,        | Hutchinson,     | Sickels,     |
| Bostwick,     | Ingersoll,      | Slayton,     |
| Boynton,      | Jewell,         | F. L. Smith, |
| G. G. Briggs, | L. Kendrick,    | R. B. Smith, |
| R. V. Briggs, | F. G. Kendrick, | Snell,       |
| Brownell,     | Kingsley,       | Stannard,    |
| Cameron,      | Klein,          | Stewart,     |
| B. Clark,     | Lane,           | Stockbridge, |
| O. Clark,     | Lee,            | Swift,       |

|           |             |                 |
|-----------|-------------|-----------------|
| Cogahall, | Lovell,     | Ternes,         |
| Crane,    | Mandigo,    | Thompson,       |
| Croesman, | Mason,      | Vowles,         |
| Curry,    | McCowen,    | Wagner,         |
| Davis,    | McKernan,   | Walker,         |
| Dussseau, | Mead,       | Walton,         |
| Eaton,    | Miller,     | Ward,           |
| Eck,      | Millington, | Weier,          |
| Elliott,  | Mitchell,   | Wendell,        |
| Fancher,  | Murray,     | Westover,       |
| Fenner,   | Norton,     | White,          |
| Fuller,   | Osborn,     | Wilcox,         |
| Gay,      | Plimpton,   | H. G. Williams, |
| Gifford,  | Purcell,    | J. A. Williams, |
| Goodrich, | Putnam,     | W. D. Williams, |
| Harris,   | Riford,     | Woodard,        |
| Hartson,  | Riopelle,   | Yawkey,         |
| Holt,     | Romeyn,     | Speaker, 96     |
|           | NAYS.       | 0               |

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### SPECIAL ORDER.

The Speaker announced that the hour of eleven o'clock had arrived, the time fixed by resolution of the House for proceeding to elect a Senator in Congress in place of Zachariah Chandler, whose term of office expires on the 4th day of March next.

The House then proceeded, by a *viva voce* vote, to name a person for Senator in Congress, with the following result:

#### FOR ZACHARIAH CHANDLER.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Holt,    | Mr. Riford,  |
| Avery,        | Horton,      | Rowlson,     |
| Barnaby,      | Hunt,        | Sanford,     |
| Baxter,       | Hurlbut,     | Shaw,        |
| Beall,        | Huston,      | Shier,       |
| Blake,        | Hutchinson,  | Sickels,     |
| Bostwick,     | Ingersoll,   | Slayton,     |
| Boynton,      | Jewell,      | R. B. Smith, |
| G. G. Briggs, | L. Kendrick, | Snell,       |

|           |             |                 |
|-----------|-------------|-----------------|
| Brownell, | Lane,       | Stannard,       |
| Cameron,  | Lovell,     | Stockbridge,    |
| B. Clark, | Mandigo,    | Swift,          |
| Crane,    | Mason,      | Thompson,       |
| Crossman, | McCowen,    | Vowles,         |
| Curry,    | Mead,       | Wagner,         |
| Davis,    | Miller,     | Walker,         |
| Eck,      | Millington, | Walton,         |
| Elliott,  | Mitchell,   | Ward,           |
| Faneher,  | Murray,     | H. G. Williams, |
| Fenner,   | Norton,     | Westover,       |
| Fuller,   | Osborn,     | J. A. Williams, |
| Gifford,  | Plimpton,   | Yawkey,         |
| Goodrich, | Putnam,     | Speaker,        |
| Hartson,  |             |                 |

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## FOR SANFORD M. GREEN.

|                   |              |                 |
|-------------------|--------------|-----------------|
| Mr. R. V. Briggs, | Mr. Kingale, | Mr. Stewart,    |
| O. Clark,         | Klein,       | Ternes,         |
| Cogshall,         | Lee,         | Weier,          |
| Dusseau,          | McKernan,    | Wendell,        |
| Eaton,            | Purcell,     | White,          |
| Gay,              | Riopelle,    | Wilcox,         |
| Harris,           | Romeyn,      | W. D. Williams, |
| Hubbard,          | Sheldon,     | Woodard,        |
| F. G. Kendrick,   | F. L. Smith, |                 |

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The Hon. Zachariah Chandler received a majority of all the votes cast by the House for the office of Senator in the Congress of the United States.

## GENERAL ORDER.

On motion of Mr. Slayton,

The House went into committee of the whole, on the general order,

Mr. Swift in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 14, entitled

A bill to amend sections 45, 46 and 48, of chapter 17, of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

GEORGE W. SWIFT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

On motion of Mr. Barnaby,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Wednesday, January 20, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Baldwin.

Roll called: quorum present.

Absent without leave: Messrs. Harris, Ingersoll, Mandigo and F. L. Smith.

Mr. Klein asked and obtained leave of absence for Mr. Harris, until Wednesday morning.

Mr. Kingsley asked and obtained leave of absence for Mr. Ingersoll, until Friday morning.

Mr. Millington asked and obtained leave of absence for Mr. Mandigo, for the day.

Mr. Weier asked and obtained leave of absence for Mr. F. L. Smith, until Monday next.

#### PRESENTATION OF PETITIONS.

By Mr. Cogshall: petition of the common council of the village of Holly, and 30 others, to amend the charter thereof; also, to legalize the tax roll of said village and extend the time for the collection therein.

Referred to the committee on banks and incorporations.

By Mr. Hurlbut: petition of E. A. Smith, C. M. Morrill and

44 others, citizens of the village of Lawton, praying for the passage of an act to incorporate the village of Lawton.

Referred to the committee on banks and incorporations.

By Mr. Walton: petition of R. B. Robbins, asking for the passage of a bill to amend section 2, of chapter 42, of compiled laws, relative to disorderly persons.

Referred to the committee on the judiciary.

By Mr. Mead: petition of G. V. N. Lothrop, H. B. Maynard and 22 others, praying that the charter of the city of Detroit be so amended that the election of recorder shall take place on the day of the judicial election in April.

Referred to the committee on banks and incorporations.

By Mr. Briggs: petition of Michael Ganley, Robert Heartly and 86 others, asking for the passage of a law to allow the "Father Matthew Total Abstinence Benevolent Societies" to become incorporated.

Referred to the committee on banks and incorporations.

By Mr. Cameron: petition of Ebenezer Durkee and 43 others, praying for the passage of a law to prevent the spearing of fish from March 1st to July first.

Referred to the committee on fisheries.

By Mr. Wagner: remonstrance of Charles Nichols and 130 others, citizens of the city of Battle Creek, against the proposed amendment of the charter of the city of Battle Creek, taking from the voters of said city the right to elect the marshal of the city, and conferring upon the common council the power to appoint said officer.

Referred to the committee on banks and incorporations.

By Mr. Vowles: petition of Sidney Hudson and William M. White, of Milford, Oakland county, asking for the passage of a law making all taxes paid by a mortgagor upon mortgaged property, a set-off to so much of the debt by the mortgagor against the owner of such mortgage.

Referred to the committee on the judiciary.

By Mr. Vowles: petition of Sidney Hudson and 17 others,

citizens of Milford, Oakland county, asking for a more just and equal assessment of hired capital.

Referred to the committee on ways and means.

REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred so much of the Governor's message as relates to the Sault Ste. Marie Ship Canal,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution asking Congress for a grant of \$50,000 in money, to deepen St. Mary's Falls Ship Canal;

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors, to whom was referred

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. NORTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors, to whom was referred

Joint resolution asking the Congress of the United States to make an appropriation for the further improvement of the harbor at the mouth of the Ontonagon river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. NORTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred a resolution of this House, instructing said committee to report the number of miles for which the officers and members thereof are entitled to draw mileage,

Respectfully report that they have had the same under consideration, and have directed me to report that the officers and members of this House are entitled to draw mileage for the number of miles respectively, as set forth in the list hereto attached and made a part of this report, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

|                     |     |
|---------------------|-----|
| Mr. Ashley, .....   | 320 |
| Avery, .....        | 192 |
| Barnaby, .....      | 140 |
| Baxter, .....       | 142 |
| Beall, .....        | 340 |
| Blake, .....        | 324 |
| Bostwick, .....     | 300 |
| Boynton, .....      | 346 |
| G. G. Briggs, ..... | 212 |
| R. V. Briggs, ..... | 266 |
| Brownell, .....     | 198 |
| Cameron, .....      | 214 |



|                       |     |
|-----------------------|-----|
| Mr. B. Clark, .....   | 118 |
| O. Clark, .....       | 140 |
| Cogshall, .....       | 118 |
| Crane, .....          | 188 |
| Crossman, .....       | 44  |
| Curry, .....          | 178 |
| Davis, .....          | 260 |
| Dussean, .....        | 260 |
| Eaton, .....          | 76  |
| Eck, .....            | 320 |
| Elliott, .....        | 200 |
| Fancher, .....        | 232 |
| Fenner, .....         | 408 |
| Fuller, .....         | 328 |
| Gay, .....            | 68  |
| Gifford, .....        | 234 |
| Goodrich, .....       | 112 |
| Grant, .....          | 160 |
| Harris, .....         | 230 |
| Hartson, .....        | 340 |
| Holt, .....           | 308 |
| Horton, .....         | 112 |
| Hubbard, .....        | 122 |
| Hunt, .....           | 20  |
| Hurlbut, .....        | 314 |
| Huston, .....         | 170 |
| Hutchinson, .....     | 158 |
| Ingersoll, .....      | 62  |
| Jewell, .....         | 216 |
| L. Kendrick, .....    | 234 |
| F. G. Kendrick, ..... | 250 |
| Kingale, .....        | 154 |
| Klein, .....          | 230 |
| Lane, .....           | 130 |
| Lee, .....            | 90  |
| Lovell, .....         | 212 |

|                   |       |
|-------------------|-------|
| Mr. Mandigo,..... | 308   |
| Mason,.....       | 200   |
| McCowen,.....     | 200   |
| McKernan,.....    | 1,950 |
| Mead,.....        | 360   |
| Miles,.....       | 340   |
| Miller,.....      | 288   |
| Millington,.....  | 300   |
| Mitchell,.....    | 1,148 |
| Murray,.....      | 236   |
| Norton,.....      | 236   |
| Osborn,.....      | 204   |
| Plimpton,.....    | 320   |
| Purcell,.....     | 230   |
| Putnam,.....      | 290   |
| Riford,.....      | 372   |
| Riopelle,.....    | 230   |
| Romeyna,.....     | 230   |
| Rowlson,.....     | 232   |
| Sanford,.....     | 2     |
| Seward,.....      | 310   |
| Shaw,.....        | 194   |
| Sheldon,.....     | 180   |
| Shier,.....       | 200   |
| Sickels,.....     | 90    |
| Slayton,.....     | 182   |
| F. L. Smith,..... | 24    |
| R. B. Smith,..... | 154   |
| Snell,.....       | 246   |
| Stannard,.....    | 174   |
| Stewart,.....     | 250   |
| Stockbridge,..... | 310   |
| Swift,.....       | 204   |
| Ternes,.....      | 248   |
| Thompson,.....    | 168   |
| Vowles,.....      | 162   |

|  |       |
|--|-------|
| Mr. Wagner,.....                               | 188   |
| Walker, .....                                  | 228   |
| Walton, .....                                  | 188   |
| Ward,.....                                     | 32    |
| Weier, .....                                   | 234   |
| Wendell,.....                                  | 1,044 |
| Westover, .....                                | 160   |
| White, .....                                   | 192   |
| Wilcox, .....                                  | 180   |
| H. G. Williams, .....                          | 1,760 |
| J. A. Williams, .....                          | 272   |
| W. D. Williams,.....                           | 2,060 |
| Woodard,.....                                  | 274   |
| Yawkey,.....                                   | 132   |
| Speaker, .....                                 | 254   |
| N. B. Jones, Clerk,.....                       | 2     |
| James H. Stone, 1st Asst. Clerk,.....          | 214   |
| E. A. Sunderlin, 2d " " .....                  | 182   |
| E. A. Thompson, Enrolling Clerk,.....          | 254   |
| H. N. Lawrence, Asst. Enrolling Clerk,.....    | 274   |
| Alfred Barlow, Sergeant-at-Arms,.....          | 230   |
| H. H. Seaver, Asst. Sergeant-at-Arms,.....     | 164   |
| D. N. Lowell, Clerk Judiciary Committee, ..... | 360   |

Report accepted and committee discharged.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 4, of act No. 108, of the session laws of 1861, entitled "An act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of Samuel Wheeler and 49 others, for the appropriation of certain non-resident highway taxes for the improvement of certain roads in the county of Gratiot,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 188 and 195, of chapter 93, of the revised statutes of 1846, the same being sections 3840 and 3847 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution proposing amendments to sections three and four, article four, and section one, article seven, section one, ar-

title seventeen, of the constitution of Michigan, in relation respectively to the apportionment of representatives, to the qualification of electors, and to militia;

Also,

Joint resolution proposing an amendment to section one, article nine, of the constitution of this State, relative to the salaries of judges of the circuit court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

The joint resolutions were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section thirty of an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8th, 1851,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and asked to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Lawton;

Also,

The memorial of the board of trustees of said village, signed by Henry Ford, president, and C. M. Morrill, clerk *pro tem*, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment to the bill, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The memorial was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dusseau,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of taxes for the city of Wyandotte, and the township of Ecorse, in Wayne county, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

QUARTERMASTER GENERAL'S OFFICE, }  
*Detroit, Jan'y 18, 1869.* }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives,*  
*Lansing:*

Sir—I have the honor to acknowledge the receipt of the following resolution, adopted by the House of Representatives on the 15th inst.:

"Resolved, That the Quartermaster General of this State be requested to furnish this House with the number of men who enlisted and were mustered from this State into the military service of the United States, on or after the 5th day of February, 1864, and were credited to any part of the five hundred thousand call of the 1st day of February, 1864, who did not receive the one hundred dollars State bounty; and that he also state whether, in his opinion, any men other than those above referred to, are justly entitled to State bounty, and if so, what men, and to what amount."

In answer to the first part of the resolution, would say, that the number of men enlisted and mustered from this State into the service of the United States, on or after the 5th Feb., 1864,

and credited on the 500,000 call of the 1st day of Feb., 1864, and who did not receive the \$100 State bounty, is about three hundred and fifteen (315).

In answer to the latter part of the resolution, in relation to men other than those above referred to, being justly entitled to State bounty, would say, that in my opinion, the State has paid, and is now paying, all those entitled to the State bounty under the various laws.

Respectfully yours,

FRIEND PALMER,

*Quartermaster General.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 19, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 9, entitled

A bill to repeal section 1, of chapter 103, of the revised statutes of 1846, and to amend section 2 of the same chapter, being sections 4343 and 4344 of the compiled laws;

2. Senate bill No. 15, entitled

A bill to amend chapter 123, of revised statutes of 1846, being chapter 150 of compiled laws, "of proceedings to recover the possession of lands," by adding two new sections thereto, to stand as sections 28 and 29;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.



The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 19, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit to the House the following bills:

1. Senate bill No. 6, entitled

A bill to amend sections 7 and 10 of an act entitled "An act to incorporate the village of Newaygo," approved March 16, 1867, and to add a new section thereto, to stand as section 34;

2. Senate bill No. 7, entitled

A bill to legalize certain bonds issued by the township of Sebewaing, in the county of Huron, the proceeds of which were expended in improving the mouth of the River Du Fil, and to provide for the payment of the same;

3. Senate bill No. 14, entitled

A bill to amend act No. 290, session laws of 1867, entitled "An act to incorporate the village of St. Johns;"

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Snell,

The rules were suspended and the bill was placed on the order of third reading.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to legalize the tax roll of the township of Adams, in the county of Houghton, for the years 1867 and 1868;

2. House bill No. 3, entitled

A bill to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing process from courts of record;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the Attorney General of this State be instructed to proceed to collect the claims known as the Phoenix bank claim and Hazelton claim, and that he have authority to employ counsel, should it be necessary,

And to inform the House that the Senate has amended the same, by striking out the words, "and that he have authority to employ counsel, should it be necessary;"

In the passage of which, as thus amended, the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendment of the Senate;

Which motion prevailed.

NOTICES.

Mr. Ternes gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the township of Springwells, in the county of Wayne, for the year 1868.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill in relation to testimony in criminal cases.

Mr. Murray gave notice that on some future day he would ask leave to introduce

A bill to change the name of Laura Montague to Laura Scott.

Mr. Lovell gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Augusta, in the county of Kalamazoo.

Mr. Hurlbut gave notice that on some future day he would ask leave to introduce

A bill to authorize secretaries and directors of mutual fire insurance companies, to administer oaths and take testimony in certain cases.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill to provide for the issuing of patents for State swamp lands, which have been reserved by contractors on State roads, or for other purposes.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to change the name of the township of North Climax, in the unorganized county of Benzie, to that of Inland.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 59, of the session laws of 1867, being an act to extend aid to the University of Michigan.

Mr. Eaton gave notice that on some future day he would ask leave to introduce

A bill to extend the time for collecting the taxes in the city of Jackson.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to change the name of Hattie Louisa Nicholas, to Hattie Louisa Frazer, and to constitute her heir-at-law of Wm. A. Frazer and Phebe Frazer.

#### INTRODUCTION OF BILLS.

Mr. Curry, previous notice having been given, and leave being granted, introduced

A bill authorizing the locating, establishment and constructing of ditches, drains and water courses by commissioners of highways of townships, and repealing all laws or enactments authorizing the construction of any ditch, drain or water course in any town or county in the State.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Norton, previous notice having been given, and leave being granted, introduced

A bill to repeal act 216, of the laws of 1861, and the acts amendatory thereto, viz: No. 240, laws of 1865, and Nos. 4, 127 and 149, of the laws of 1867, and submit a single act in their place, to provide for draining swamps, marshes, and other low lands.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Stockbridge, previous notice having been given, and leave being granted, introduced

A bill to revise the charter of Saugatuck.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Klein, previous notice having been given, and leave being granted, introduced

A bill to regulate the sale of patent and other simple and compound medicines in the State of Michigan, and to prohibit publication of their virtues in language of immoral tendency, or ambiguous character.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1314 and 1317, and to repeal sections 1315 and 1316, of the compiled laws, relative to the interest of money.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to extend aid to the University of Michigan."

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill relating to the place of residence of judges of the circuit court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of manufacturing, mechanical and trading companies.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way and aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, in Menominee county, to the iron district in said county.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill granting the right of way through lands owned by the State for a railroad in Menominee county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Barnaby, previous notice having been given, and leave being granted, introduced

A bill appropriating swamp lands for the improvement of the State road from Ithaca to St. Charles.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill for the protection and preservation of fish in the waters of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Walton, previous notice having been given, and leave being granted, introduced

A bill to amend section 2, of chapter 42, of the compiled laws, relative to disorderly persons.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to establish an institution of learning, to be called the Michigan Female College.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to consolidate the townships of China and East China, in the county of St. Clair, and organize therefrom the townships of Carleton and China.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill relating to interest upon installments falling due upon written contracts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to authorize the city of Saginaw to raise money to construct a county jail, for the county of Saginaw.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of the "Father Matthew total abstinence benevolent societies."

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Elliott, previous notice having been given, and leave being granted, introduced

A bill to revise sections number 74, 85, 86, 87, 88, 89, 90 and 91, of chapter 78, of the compiled laws, being sections and parts of sections repealed by act No. 55, of the session laws of 1867, being an act to provide for county superintendents of schools, and to repeal act No. 55, of the session laws of 1867, relative to county superintendents of schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Cogshall, previous notice having been given, and leave being granted, introduced

A bill to legalize the assessment roll of the village of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of taxes therein.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Stewart, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the townships of Van Buren and Romulus, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and,

On motion of Mr. Stewart,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Cogshall, previous notice having been given, and leave being granted, introduced

A bill to legalize the assessment roll of the township of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of taxes therein.

The bill was read a first and second time by its title, and,

On motion of Mr. Cogshall,

The rules were suspended, and the bill was placed on the order of third reading.



## THIRD READING OF BILLS.

House bill No. 14, entitled

A bill to amend sections 45, 46 and 48, of chapter 17, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Gifford,    | Mr. Rowson,     |
| Avery,        | Goodrich,       | Sanford         |
| Barnaby,      | Hartson,        | Shaw,           |
| Baxter,       | Horton,         | Sheldon,        |
| Beall,        | Hubbard,        | Shier,          |
| Blake,        | Hunt,           | Sickels,        |
| Bostwick,     | Hurlbut,        | Slayton,        |
| Boynton,      | Hutchinson,     | Snell,          |
| G. G. Briggs, | Jewell,         | Stannard,       |
| Brownell,     | L. Kendrick,    | Stewart,        |
| Cameron,      | F. G. Kendrick, | Stockbridge,    |
| B. Clark,     | Kingsley,       | Swift,          |
| O. Clark,     | Lane,           | Ternes,         |
| Cogshall,     | Lee,            | Thompson,       |
| Crane,        | Lovell,         | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Dussean,      | Miller,         | Ward,           |
| Eaton,        | Millington,     | Weier,          |
| Eck,          | Mitchell,       | Wendell,        |
| Elliott,      | Murray,         | H. G. Williams, |
| Fancher,      | Norton,         | J. A. Williams, |
| Fenner,       | Osborn,         | W. D. Williams, |
| Gay,          | Purcell,        | Speaker, 75     |

## NAYS.

|                   |               |               |
|-------------------|---------------|---------------|
| Mr. R. V. Briggs, | Mr. Plimpton, | Mr. Westover, |
| Fuller,           | Riford,       | White,        |
| Holt,             | Riopelle,     | Wilcox,       |
| Huston,           | Romeyn,       | Woodard,      |
| Mason,            | R. B. Smith,  | Yawkey, 15    |

Title agreed to.

On motion of Mr. Elliott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

On motion of Mr. Plimpton,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Van Buren and Romulus, in the county of Wayne, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowison,    |
| Avery         | Hubbard,        | Sanford,        |
| Barnaby,      | Hunt,           | Shaw,           |
| Baxter,       | Hurlbut,        | Sheldon,        |
| Beall,        | Huston,         | Shier,          |
| Blake,        | Hutchinson,     | Sickels,        |
| Bostwick,     | Jewell,         | Slayton,        |
| Boynton,      | L. Kendrick,    | R. B. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingaley,       | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| Cameron,      | Lane,           | Stockbridge,    |
| B. Clark,     | Lee,            | Swift,          |
| O. Clark,     | Lovell,         | Ternes,         |
| Oogshall,     | Mason,          | Thompson,       |
| Crane,        | McCowen,        | Vowles,         |
| Crossman,     | McKernan,       | Wagner,         |
| Curry,        | Mead,           | Walker,         |
| Davis,        | Miller,         | Walton,         |
| Dusseau,      | Millington,     | Ward,           |
| Eaton,        | Mitchell,       | Weier,          |
| Eck,          | Murray,         | Wendell,        |
| Elliott,      | Norton,         | Westover,       |
| Fancher,      | Osborn,         | White,          |
| Fenner,       | Plimpton,       | Wilcox,         |
| Fuller,       | Purcell,        | H. G. Williams, |
| Gay,          | Putnam,         | J. A. Williams, |
| Gifford,      | Riford,         | W. D. Williams, |

Goodrich,  
Hartson,  
Holt,

Riopelle,  
Romeyn,

Yawkey,  
Speaker,

91

NAYS.

0

Title agreed to.

On motion of Mr. Stewart,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 7, entitled

A bill to legalize certain bonds issued by the township of Sebewaing, in the county of Huron, the proceeds of which were expended in improving the mouth of the Sebewaing river, and to provide for the payment of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynnton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogahall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fancher,  
Fenner,  
Fuller,

Mr. Holt,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,

Mr. Sanford,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternea,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,

Gay,  
Gifford,  
Goodrich,  
Hartson,

Riford,  
Riopelle,  
Romeyn,  
Rowlson,

W. D. Williams,  
Yawkey,  
Speaker,

89

NAYS.

0

Title agreed to.

On motion of Mr. Snell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the assessment of the tax roll of the township of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of taxes therein,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved that the bill be referred to the committee on local taxation;

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Holt offered the following:

*Resolved*, That a committee of two be appointed to inform the Senate that the House will receive the Senate in joint convention, this day at 12 M., for the purpose of taking the necessary proceedings in relation to the election of a person to represent this State, in the Senate of the United States;

Which was adopted.

The Speaker announced as such committee, Messrs. Holt and Wendell.

Mr. Baxter offered the following:

*Resolved*, That the committee on supplies and expenditures be directed to procure for the use of the appropriate committees in the House, during the sessions of the Legislature, but otherwise to belong to and be kept in the State Library, six copies each of the following works, to-wit: Cooley's Digest, Green's Practice, and Reid's Index;

Which was adopted.

Mr. Millington moved to take from the table House manuscript bill, entitled

A bill to prevent trespass on cranberry marshes;

Which motion prevailed.

On motion of Mr. Millington,

The bill was referred to the committee on agriculture.

UNFINISHED BUSINESS,

Being the consideration of the following:

*Whereas*, It is of the greatest importance that the "Northern Pacific railroad" should be completed as soon as possible; therefore

*Resolved*, (the Senate concurring,) That the committees on internal improvements of the House and Senate, act as a joint committee, to report as soon as convenient, what action it is necessary for this Legislature to take, to aid in forwarding the early construction of the "Northern Pacific railroad."

Which was adopted.

GENERAL ORDER.

On motion of Mr. Wilcox,

The House went into committee of the whole, on the general order,

Mr. McKernan in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 15, entitled

A bill for the protection of buoys and beacons;

2. House bill No. 16, entitled

A bill making guaranties of promissory notes negotiable, and providing that they shall pass to the holders of such notes;

3. House bill No. 17, entitled

A bill authorizing circuit courts sitting in chancery, to refer causes pending in chancery, to special commissioners;

Have made no amendments thereto, and have directed their

chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

4. House joint resolution No. 1, entitled

Joint resolution asking Senators and Representatives in Congress, from Michigan, to secure the passage of the river and harbor appropriation bill, now pending in the United States Senate;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

J. Q. McKERNAN, *Chairman.*

Report accepted and committee discharged.

The several bills and joint resolution were placed on the order of third reading.

The committee appointed to wait on the Senate and inform that body that the House would receive them in joint convention, at 12 o'clock M., reported that they had performed that duty, and were discharged.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, Jan. 20, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to change the name of the village of Vienna, in the county of Monroe, to that of Erie;

Also,

An act to authorize school district number seven, of the township of Pennfield, in the county of Calhoun, to issue bonds for the purpose of building a school-house;

Also,

An act to extend the time for the collection of taxes in the township of Richmond, in the county of Macomb;

Also,

An act to extend the time for the collection of taxes assessed for the construction of ditches in the township of Fairgrove, in the county of Tuscola.

HENRY P. BALDWIN.

The message was laid on the table.

At 12 o'clock M., the Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. Morgan Bates, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the Senators were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced the object of the joint convention to be, to compare the proceedings of the Senate and House of Representatives of yesterday, relative to electing a person for Senator in the Congress of the United States from the 4th day of March next, and to ascertain if the same person had received a majority of all the votes cast in each House for such office.

The Secretary of the Senate read the journal of the proceedings of the Senate thereon, as follows:

IN SENATE.

*Lansing, Tuesday, January 19, 1869.*

The President announced that the hour of 12 o'clock M. had arrived, the time fixed for proceeding to elect a Senator in Congress in place of Zachariah Ohandler, whose term of office expires on the 4th day of March next.

On motion of Mr. Amos Smith,

The Senate proceeded to such election *viva voce*, with the following result:

## FOR ZACHARIAH CHANDLER.

|              |              |               |
|--------------|--------------|---------------|
| Mr. Andrews, | Mr. Mills,   | Mr. Standish, |
| Boies,       | Pearl,       | Thomas,       |
| Bonine,      | Peirce,      | Turner,       |
| Conkling,    | Phillips,    | Warner,       |
| Fitzgerald,  | Rich,        | Williams,     |
| Jenks,       | Slocum,      | Winsor,       |
| Jones,       | A. Smith,    | Wood,         |
| Koon,        | T. G. Smith, | Woodward, 24  |

## FOR SANFORD M. GREEN.

|            |             |              |
|------------|-------------|--------------|
| Mr. Adair, | Mr. Morton, | Mr. Willard, |
| Mason,     |             | 4            |

The Hon. Zachariah Chandler received a majority of all the votes cast for the office of Senator in the Congress of the United States.

The Clerk of the House read the journal of the proceedings of the House of Representatives thereon, as follows:

## HOUSE OF REPRESENTATIVES.

*Lansing, Tuesday, January 19, 1869.*

The Speaker announced that the hour of eleven o'clock had arrived, the time fixed by resolution of the House for proceeding to elect a Senator in Congress in place of Zachariah Chandler, whose term of office expires on the 4th day of March next.

The House then proceeded, by a *viva voce* vote, to name a person for Senator in Congress, with the following result:

## FOR ZACHARIAH CHANDLER.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Holt,    | Mr. Riford,  |
| Avery,        | Horton,      | Rowlson,     |
| Barnaby,      | Hunt,        | Sanford,     |
| Baxter,       | Hurlbut,     | Shaw,        |
| Beall,        | Huston,      | Shier,       |
| Blake,        | Hutchinson,  | Sickels,     |
| Bostwick,     | Ingersoll,   | Slayton,     |
| Boynton,      | Jewell,      | R. B. Smith, |
| G. G. Briggs, | L. Kendrick, | Snell,       |
| Brownell,     | Lane,        | Stannard,    |
| Cameron,      | Lovell,      | Stockbridge, |
| B. Clark,     | Mandigo,     | Swift,       |



|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | Mason,      | Thompson,       |
| Crossman, | McCowen,    | Vowles,         |
| Curry,    | Mead,       | Wagner,         |
| Davis,    | Miller,     | Walker,         |
| Eck,      | Millington, | Walton,         |
| Elliott,  | Mitchell,   | Ward,           |
| Fancher,  | Murray,     | H. G. Williams, |
| Fenner,   | Norton,     | Westover,       |
| Fuller,   | Osborn,     | J. A. Williams, |
| Gifford,  | Plimpton,   | Yawkey,         |
| Goodrich, | Putnam,     | Speaker,        |
| Hartson,  |             | 70              |

FOR SANFORD M. GREEN.

|                   |               |                 |
|-------------------|---------------|-----------------|
| Mr. R. V. Briggs, | Mr. Kingsley, | Mr. Stewart,    |
| O. Clark,         | Klein,        | Ternes,         |
| Cogshall,         | Lee,          | Weier,          |
| Dusseau,          | McKernan,     | Wendell,        |
| Eaton,            | Purcell,      | White,          |
| Gay,              | Riopelle,     | Wilcox,         |
| Harris,           | Romeyn,       | W. D. Williams, |
| Hubbard,          | Sheldon,      | Woodard,        |
| F. G. Kendrick,   | F. L. Smith,  | 26              |

The Hon. Zachariah Chandler received a majority of all the votes cast by the House for the office of Senator in the Congress of the United States.

The President declared that Hon. Zachariah Chandler, having received a majority of all the votes cast in each House of this Legislature, for the office of Senator in the Congress of the United States, for six years from the fourth of March next, was duly elected to such office.

On motion of Senator Mason,

The Joint Convention then adjourned *sine die*.

HENRY S. SLEEPER,

*Secretary of the Senate,*

N. B. JONES,

*Clerk of the House of Representatives,*

*and Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the joint convention had compared the votes of the two Houses of yesterday, for the office of Senator in the Congress of the United States, and found that Hon. Zachariah Chandler had received a majority of all the votes cast in each House for such office, and had been duly declared elected Senator in the Congress of the United States, for the full term of six years, from the fourth day of March next.

On motion of Mr. Cameron,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Thursday, January 21, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent without leave: Messrs. Horton and Hunt.

Mr. Hubbard asked and obtained leave of absence for Mr. Hunt, for the day.

Mr. Mason asked and obtained leave of absence for Mr. Horton, until Tuesday morning.

Mr. Swift asked and obtained leave of absence for himself, until Wednesday morning.

Mr. Mead asked and obtained leave of absence for himself, until Wednesday morning.

Mr. Putnam asked and obtained leave of absence for Mr. Ashley, until Tuesday morning.

Mr. Cameron asked and obtained leave of absence for Mr. Walker, until Tuesday morning.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of Wm. H. Frazer and Phoebe, his wife, praying for a change of the name of Hattie Louisa Nichols to Hattie Louisa Frazer, and that she be constituted their heir-at-law.

Referred to the committee on State affairs.

By Mr. Woodard: petition of M. O. Cady, G. K. S. Baker, C. F. W. Rawson and 147 others, tax-payers of the township of Dundee, Monroe county, praying for a law authorizing the several townships in the counties of Monroe and Washtenaw to aid in the construction of a railroad from Flint or Holly, *via* Ann Arbor, Saline, Milan and Dundee, to Toledo.

Referred to the committee on internal improvements.

By Mr. Wendell: petition of Hon. Philo Beers, Hon. John S. Dixon and 158 others, citizens of Emmet and Antrim counties, asking for a special charter to organize the Pine River Improvement and Booming Company.

Referred to the committee on lumber interests.

By Mr. Ingersoll: petition of A. T. Westcott, E. D. Bryant, W. D. Garrison and 32 others, citizens of Vernon, Shiawassee county, asking for the passage of a law authorizing the recording of another plat of that village, in lieu of the original plat, which has been lost or abstracted from the office of the county clerk.

Referred to the committee on State affairs.

By Mr. Huston: petition of T. North, John Johnson, and 100 other citizens and tax-payers of Vassar, Tuscola county, asking for the passage of a law allowing the towns and cities along the Bay City and Detroit Railroad, to vote aid for its construction.

Referred to the committee on internal improvements.

By Mr. Mandigo: petition of J. R. Watson, J. M. Statt and 157 others, voters of White Pigeon, praying that sections 1588, 1589 and 1590, of the compiled laws of this State, be repealed, so far as it relates to the playing of billiards, and keeping billiard tables for hire, or that such sections, and the laws now in force, be so amended that license may be granted therefor.

Referred to the committee on State affairs.

By Mr. Cameron: petition of the officers of the Kalamazoo Town Agricultural Society for improving the breed of horses, for authority to sell and dispose of their real estate.

Referred to the committee on banks and incorporations.

By Mr. Yawkey: resolution of the board of supervisors of

Saginaw county, asking that a law be passed establishing an emigrant agency, and that an appropriation be made for said purpose.

Referred to the committee on immigration.

By Mr. Yawkey: petition of W. R. Burt, of East Saginaw, asking for the passage of an act authorizing him to select certain swamp lands in lieu of others selected by him, and sold by mistake to other parties.

Referred to the committee on public lands.

By Mr. F. G. Kendrick: petition of A. W. Smith and nine others, asking authority to amend the articles of the association of the society known as the "Pocahontas Tribe No. 1, improved order of Red Men, of the city of Detroit."

Referred to the committee on State affairs.

By Mr. Mitchell: petition of James P. Reynolds and 23 others, asking that the name of the township of North Climax, Benzie county, be changed to Inland.

Referred to the committee on towns and counties.

By Mr. Ashley: petition of H. Thompson, W. C. Kinsley, S. H. Miller and 20 others, of school district number 4, Mason township, county of Cass, asking for the passage of an act to enable them to raise by a special tax upon the taxable property of said district, the sum of \$1,000, to rebuild a school-house in said district, the school-house in said district having recently been destroyed by fire.

Referred to the committee on local taxation.

By Mr. Osborn: petition of P. Biasom, J. S. Sprague, and 15 others, residents of fractional school district number 1, of Hudson and Pittsford, Hillsdale county, praying that certain lands, taken from said district by the incorporation of the public schools of the village of Hudson, be restored to them. The same is indorsed by the supervisor and school inspector of said town, recommending that their petition be granted.

Also: petition of Sam'l Cole, O. Keith, and 16 other residents of school district number 3, of the town of Pittsford, Hillsdale county, for the same purpose.

Referred to the committee on education.

By Mr. Grant: petition of A. P. Drake and 43 others, requesting certain lands now enclosed in the corporation of the village of Hastings, be taken therefrom.

Referred to the committee on banks and incorporations.

By Mr. White: petition of the board of supervisors of Oakland county, in relation to laying out public highways.

Referred to the committee on roads and bridges.

By Mr. Holt: memorial of the board of supervisors of Muskegon county, praying for certain amendments in the laws relating to the assessment of taxes.

On motion of Mr. Holt,

The memorial was ordered printed in the journal, and referred to the committee on ways and means.

The following is the memorial:

*To the Honorable Legislature of the State of Michigan:*

Your petitioners, being members of the board of supervisors of the county of Muskegon, and State of Michigan, would respectfully represent:

That the existing laws for the assessment and collection of taxes are imperfect, and in a measure unjust, as they are understood and administered in some portions of this county.

That a piece of land should be taxed for its full assessable value, and that the holders of a mortgage upon it should also be taxed, is a seeming injustice to the mortgagor, for which we fail to see or suggest any adequate remedy, more especially as we understand the same law and practice to exist in many, if not all, the older States. But that debts owing should be an offset against money in hand and debts due, and not against personal property, is in our view an injustice that might and ought to be remedied.

A large amount of capital is invested in this county in the manufacture of lumber. Much of the capital thus employed is owned in other States, and in other places in this State, than that in which the manufactories are situated. The raw ma-

terial for these manufactories is cut in various towns in the interior, and put afloat (or destined to be put afloat) upon the interior waters, to be floated to the mills in the spring floods. So that it is impossible for the assessor to know in what townships this timber may be on the second Monday of April, the date of his assessment.

We understand the decisions of the courts to be, that this timber is taxable only in the townships where the mills are situated to which it is destined, if the owner of the timber be also an owner of the mill, or a resident of the township where the mill is situated. But in a case where an owner of a mill lived in another township, and the tax was collected by the treasurer of the township in which the mill was located, by a levy upon logs lying around the mill, the court decided against the treasurer, and the money was recovered back.

Also, a tax levied upon logs thus in transitu, where the owner is not a resident of this State, but hires his logs manufactured here, is resisted.

There are also cases where owners of mills and others, loan or invest money to put logs in motion, destined to be manufactured at the mills upon shares, in which case the owners of the mills claim not to be the taxable owners of the logs, or the product of them, till sawed, which is not usually done till after the date of the assessment.

It is true, the money invested in these logs is taxable, if the owner be a resident of the State; but if borrowed, the debt offsets, and the question arises whether the owner of the mill which has advanced the money, be joint owner of the logs, against which, the debt does not offset.

There are also cases where the owners of lands in the interior, put logs out from them in motion, with their own means, and contract them to mill owners on the border, but retain their ownership of them, as security for the payment, till after the date of the assessment, when both the seller and purchaser claim not to be the taxable owner of them.

Your petitioners are aware of the impossibility of enacting laws which shall do exact justice in all cases, and of the difficulty of so wording them, that they cannot be evaded; but it appears evident to them, that the tax laws, as now existing, are not adequate to the wants of the lumber districts of this State, and that the framers thereof did not anticipate the present magnitude of the lumber trade, or the amount of taxable capital that is now invested in it. And while we would by no means cast any reflections upon the honor of our lumbermen as a class, we cannot fail to see that there are open doors for the ingress of injustice, which in these times of onerous taxes, there is too great a temptation to evasion for some to resist, thus doing an injustice to others of the class, as well as to those of other occupations, whose duties and liabilities are better defined.

We therefore pray your honorable body, to take such action in the premises, as shall, in your wisdom, seem appropriate.

And your petitioners, as in duty bound, will ever pray.

P. G. SHIPPEY, *Chairman.*

DAVID McLAUGHLIN, *Clerk.*

MUSKOGON, January 16, 1869.

By Mr. Wendell: petition of Philo Beers, A. N. Brady, Hugh Miller, B. F. Ingalls and 108 others, citizens of Emmet and Antrim counties, asking for a grant of ten sections of swamp lands, for draining and improving lands on Pine and Round lakes;

Also: petition of Warren D. Thompson, Wm. E. Clark, Pierce Kendall and 49 others, for the same purpose;

Also: petitions of C. Bennett, C. Graham and 68 others, for the same purpose;

Also: petition of John S. Dixon, S. H. Seely, Wm. H. Carr and 70 others, for the same purpose.

The several petitions were referred to the committee on public lands; and,

On motion of Mr. Wendell,

The last named petition was ordered printed in the journal.

The following is the petition:

*To the Honorable Senators and Representatives of the Legislature of Michigan:*

Your petitioners, residents of Emmet and Antrim counties, respectfully represent that Pine river, the outlet of Pine Lake, which, with its tributaries, has a coast line of from 70 to 80 miles in extent, is a short channel of about 170 rods in length—the lower channel from Round Lake to Lake Michigan being 70 rods long, and the upper channel from Pine Lake to Round Lake 100 rods; that there is a large extent of country drained by these waters, which would be immensely benefited, in fact, *opened* to settlement, by a small appropriation needed to straighten and deepen Pine River; that much of the land this improvement would benefit is State swamp land, in the rapid sale of which the State has a direct proprietary interest; that much of this land on the shore of these lakes is so situated that it cannot be effectually drained except by lowering the waters in the manner that the proposed improvement alone could accomplish; that by cutting through a narrow neck of land between Pine and Round Lakes, 24 rods wide, the length of the upper channel can be made 76 rods shorter than it now is.

We therefore respectfully request and petition that your Honorable body will appropriate ten sections of State swamp land for the purpose of making the improvement above specified.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 9, entitled

A bill to repeal section 1, of chapter 103, of the revised statutes of 1846, and to amend section 2, of the same chapter, being sections 4343 and 4344 of the compiled laws;

Also, Senate bill No. 15, entitled



A bill to amend chapter 123, of revised statutes of 1846, being chapter 150, of compiled laws, "of proceedings to recover the possession of lands," by adding two new sections thereto, to stand as sections 28 and 29,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relating to the place of residence of judges of the circuit court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sanford,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relating to interest upon installments falling due upon written contracts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary;

The committee on the judiciary, to whom was referred the petition of E. W. Meddaugh, and 58 other members of the Detroit bar, praying for the passage of a law providing for the appointment of a stenographer for the Wayne county circuit court and the recorder's court of the city of Detroit;

Also,

A bill to provide for the appointment of a stenographer for the circuit court for the county of Wayne and for the recorder's or municipal court of the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on education:

The committee on education, to whom was referred

A bill to amend act No. 59, of the session laws of 1867, entitled "an act to extend aid to the University of Michigan,"

Would respectfully report, that they have carefully considered the said bill, and have examined the previous legislation pertaining to our State University, and find the following facts, to wit:

*First.* That the University Fund has reached its maximum; all the lands granted to it by the United States having been sold, (except two hundred and thirty acres.) That, according to the original valuation, the fund would have been nearly one

million of dollars, but the price having been lowered by the State, it now amounts to \$559,977 99;

*Second.* That the University has been so managed as to obtain the hearty approval of the public both at home and abroad. That it has abstained from large expenditures for buildings, and has employed as many instructors as its means would allow, and has provided libraries, and museums, and other apparatus of instruction, and adopted various courses of practical study adapted to the wants of the people. That it has received the highest commendation from boards of education, and other similar bodies of several States, and has been pronounced by good authority in England, as "probably the most democratic school in the whole world," and is held up generally as an example worthy of imitation;

*Third.* That the students from other States are charged thirty-five dollars the first year, and ten dollars a year thereafter, while students from Michigan are charged but twenty dollars the first year, and ten dollars a year thereafter; that other universities in this part of the country make only about the same charges, and some even less; and we are assured that to increase the charges to students from abroad would probably lower the number, and upon the whole, diminish the revenue;

That while no student from Michigan has ever been excluded from the University for want of room, these fees from foreign students have greatly contributed to its efficiency, and made it a more valuable institution to the Michigan students;

*Fourth.* That the buildings of the University are inadequate to meet its demands, and need repairs, but that all the income of the University is used, and required to be used, for its current expenses; that several universities in the country have from two to eight times as much property, and that several State universities in the West promise soon to surpass our State University in its present income;

That the University has no reserve funds, except about \$15,000, being the remaining fraction of \$23,000, received for a lot of land belonging to it, in Detroit, and the whole of which,

being a part of its original real estate, the Regents desire to return, and I think ought to be returned, to the permanent fund of the University;

*Fifth.* That the act to aid the University of Michigan passed in 1867, (and it will be borne in mind that the bill before us does not ask any additional aid, but only that that grant may be made effective,) contained a provision requiring the appointment of a Professor of Homeopathy in the medical department. And, without any attempt or desire to present, or even themselves to entertain the various arguments for or against this plan, your committee find that those nearest to the University, and who may perhaps be safely regarded as best acquainted with, and most regardful of its interests, its Faculty, and the Board of Regents elected by the people to look after and manage its interests, maintain and believe that to enforce that proviso, would imperil and probably destroy the efficiency of the Department of Medicine and Surgery, constituting full one-third of the University, and a department now, for the most part, self-sustaining.

Believing also that the responsibility of the government of the University should be as directed by our State Constitution, in the Board of Regents, and without recommending the appointment therein of any professor that shall, by name, represent any of the sects, or parties or "issues" in medicine, or any other department of science, believing that this State institution of which we are, and may well be proud, will be liberally and impartially managed, not only by the present Board, but by any Board of Regents which the people shall elect. We would therefore respectfully report said bill back to the House without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to establish an institution of learning, to be called The Michigan Female College,

Would respectfully report that they have had the same under consideration, and believing that such an institution is needed to complete our most excellent, and justly admired system of public education, commencing with our primary schools, and running through our high schools, union schools, and State Normal school, providing for the education of both sexes, and culminating in our State University, providing for the education of males only.

That our present State University, crowded as it is, almost to excess, could not, if our daughters and sisters were admitted to it—as is desired by some—at all adequately meet the demands of the State in this respect.

That there is, and can be assigned no good reason why the young ladies of the State of Michigan should not have afforded to them, at the public expense, the same facilities for a complete education, as is now thus afforded to our young men.

That the Regents of our State University are the best guardians and conservators of this branch, also, of our collegiate interests, and will have, by reason of their connection with the University, its professors, its museums, libraries, laboratories, collections in natural history, geology, &c., peculiar facilities for affording competent instruction and illustration, and at an additional expense, far less than any independent board established for that purpose.

That the time has come when the people at large demand, and will liberally sustain, any well considered and economical attempt thus to provide for the equally complete education of our young ladies, as of our young men, at home, instead of, as now, being compelled to send them abroad for that purpose.

That the bill proposed is perhaps as economical and safe as one as would be likely to effect the purpose, imposing a tax only of one-twentieth of a mill, or fifty cents per annum on an

assessed valuation of ten thousand dollars, and which tax will cease entirely of its own limitation within ten years from the time of its enactment.

And further believing, that having once taken the initiatory step in this matter, Congress will promptly and without hesitation, bestow upon such a college a grant of land constituting an ample endowment for its future and permanent support, and thus relieve us from the further payment, even, of the tax now provided for.

We would therefore respectfully report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to enable the Jackson, Lansing and Saginaw Railroad Company to change the northern terminus of its railroad to some point on Lake Superior, without prejudice to its rights,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the preamble and resolution of the board of supervisors of Calhoun county, asking the passage of a law, to exempt certain town-

ships in said county, from the payment of delinquent taxes on part-paid swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the recommendation of the committee.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to secure the completion of a bridge across Cass river, near Cass city, in the county of Tuscola,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the incorporation of the "Father Matthew Total Abstinence Benevolent Societies" of the State of Michigan;

Also, a petition of Michael Ganby and 63 others, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to legalize the assessment roll of the village of Holly, and to extend the time for the collection therein;

Also, a petition from the common council of said village, and 30 citizens thereof, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying substitute therefor, entitled

A bill to legalize the tax roll of the villtge of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of the taxes spread thereon;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the adoption of the substitute reported by the committee.

Mr. Cogshall moved that the rules be suspended, and the bill be placed on the order of third reading;

Which motion prevailed.

By the committee on banks and incorporations:



The committee on banks and incorporations, to whom was referred

A bill to provide for the construction and management of water works in the village of Marquette,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the assessment roll of the township of Holly, in the county of Oakland, and to extend the time for the collection of taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to legalize the assessment roll for the township of Holly, in the county of Oakland, and to extend the time for the collection of taxes therein;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the adoption of the substitute reported by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr Ashley,    | Mr. Grant,      | Mr. Shier,      |
| Avery,        | Hartson,        | Sickels,        |
| Barnaby,      | Holt,           | Slayton,        |
| Baxter,       | Hubbard,        | R. B. Smith,    |
| Beall,        | Hurlbut,        | Snell,          |
| Blake,        | Hutchinson,     | Stannard,       |
| Bostwick,     | Ingersoll,      | Stewart,        |
| Boynnton,     | F. G. Kendrick, | Stockbridge,    |
| G. G. Briggs, | Kingsley,       | Swift,          |
| R. V. Briggs, | Klein,          | Ternes,         |
| Brownell,     | Lane,           | Thompson,       |
| Cameron,      | Lee,            | Vowles,         |
| B. Clark,     | Lovell,         | Wagner,         |
| O. Clark,     | McCowan,        | Walker,         |
| Cogshall,     | Miller,         | Walton,         |
| Crane,        | Millington,     | Ward,           |
| Curry,        | Mitchell,       | Weier,          |
| Davis,        | Murray,         | Wendell,        |
| Dusseau,      | Norton,         | Westover,       |
| Eaton,        | Osborn,         | White,          |
| Eck,          | Purcell,        | Wilcox,         |
| Fancher,      | Putnam,         | H. G. Williams, |
| Fenner,       | Riford,         | J. A. Williams, |
| Fuller,       | Riopelle,       | W. D. Williams, |
| Gay,          | Romeyn,         | Woodard,        |
| Gifford,      | Rowlson,        | Yawkey,         |
| Goodrich,     | Sheldon,        | Speaker, 81     |

## NAYS.

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Title agreed to.

On motion of Mr. Cogshall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to consolidate the townships of China and East China, in the county of St. Clair, and organize therefrom the townships of Carleton and China,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ISAAC D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Charles Moseley to Charles Moseley Fuller,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to define the powers and duties of commissioners of highways, in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of the village of Centreville, in the county of Tuscola, to that of Cairo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, Jan. 20, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to legalize the tax rolls of the township of Adams, in the county of Houghton, for the years 1867 and 1868.

HENRY P. BALDWIN.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, It is asserted by numerous reliable persons, who are well informed upon the subject, that great moral frauds have been perpetrated in the selection of certain lands granted to the State by act of Congress for the endowment of an Agricultural College;

*And whereas*, It is also claimed that large tracts of lands so located, are sand plains, entirely worthless either for agricultural purposes or for the timber thereon, but that adjoining lands of great value, on account of the quantity of pine timber thereon, were located from lists handed in by one of the persons who selected the worthless College lands, at or about the same time that lists of Agricultural College lands were handed in to the several Government land offices;

*And whereas*, It is alleged that the benefits that might have been derived from said grant have been greatly decreased thereby, to the personal advantage of certain individuals, sixty thousand dollars or more; therefore,

*Resolved*, (the House concurring,) That the committees on agriculture of the Senate and House of Representatives, jointly, be and are hereby instructed to inquire into such charges, and examine into the whole matter of the location and selection of the Agricultural College lands, with power to send for persons and papers, and report the result of such examination to their respective Houses at their earliest convenience;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Yawkey,  
The House concurred in the adoption of the resolution.  
The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, Under the provisions of act No. 114, session laws of 1867, Gen. B. M. Cutcheon, Col. Wm. Phelps, and George H. French, were appointed a Soldiers' Permanent Home Commission;

*And whereas*, By the provisions of said act, said Commission have received no compensation for their services, aside from actual expenses;

*And whereas*, As appears by their report, which is printed in full in the Journal of January 8, they have performed their duty with remarkable fidelity, and greatly to the advantage of the poor, infirm and needy soldiery of Michigan, and also have materially assisted the military authorities of the State in selecting proper asylums for those who, during the late war, displayed a devotion to country second to none within the annals of history, and now return with shattered limbs, armless sleeves, and emaciated bodies; therefore

*Resolved*, (the House concurring,) That we, the members of the Legislature of Michigan, in behalf of all the people of this State, extend thanks to each and all members of said Commission, for the very able manner in which they have performed their arduous labors.

*Resolved*, That three copies of the preamble and resolutions be engrossed, and one copy be transmitted to each of the members of this Commission;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Swift,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the committees on the part of the Senate, and also on the part of the House, whose duties are to examine into and report to their respective Houses relative to the various State Institutions, Asylums, &c., be considered a joint committee, and as such be authorized, at some convenient date, to visit those Institutions, in order that they may properly report;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Baxter,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 1, entitled

Joint resolution to provide for paying publishers of newspapers for publishing the constitution of 1867, as provided by the schedule of said constitution;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 20, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Brooks, in the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein;

2. Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Croton, in the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein;

3. Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Orange, in the county of Ionia, for the year 1868;

4. Senate manuscript bill, entitled

A bill to authorize the First Baptist Church and Society, and the Second Baptist Church and Society, of the city of Grand Rapids, to unite and consolidate with, and to vest their property in, the Baptist Church and Society, of the city of Grand Rapids;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*



The first, second and third named bills were read a first and second time by their titles, and referred to the committee on local taxation.

The fourth named bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following bills:

1 Senate bill No. 10, entitled

A bill to amend section 5646, of the compiled laws, being section 10, of chapter 150, of the revised statutes of 1846, relative to the fees of witnesses;

2 Senate bill No. 17, entitled

A bill to amend act No. 227, of the session laws of 1863, entitled "An act to amend sections 1, 2, 4, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358 of the compiled laws, touching the limitation of actions relating to real property;"

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 20, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Flint, in the county of Genesee;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes, for the year 1868, in the township of Albion, in the county of Calhoun;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

#### NOTICES.

Mr. Ashley gave notice that on some future day he would ask leave to introduce

A bill to enable school district No. 4, of Mason township, Cass county, to raise the sum of one thousand dollars upon the taxable property of said district, to rebuild a school-house in said district.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to authorize Wellington R. Burt to select seven hundred and twenty acres of State swamp lands, in lieu of a like amount selected by him, and sold by the State.

Mr. Barnaby gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act amending an act relative to exemption from taxation," approved February 7th, 1857.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to amend section 124, of chapter 117 of compiled laws, in relation to the removal of causes from one justice of the peace to another;

Also,

A bill to amend chapter 17 of compiled laws, in relation to the assessment and collecting of taxes, so that the several counties shall carry the delinquent taxes from the return to the termination of time of redemption, and at that time the State shall assume the same, and pay the counties the full amount of said taxes and interest;

Also,

A bill to legalize all assessment rolls, and extend the time indefinitely for collecting the tax thereon.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill to establish a State road from Bay City, in Bay county, by the way of Centreville, in Tuscola county, to Lapeer, and appropriating one section of State swamp land to the mile for the construction of the same.

Mr. Miller gave notice that on some future day he would ask leave to introduce

A bill appropriating two sections of swamp land for the purpose of dredging and otherwise improving the navigation of the Clinton river, in Macomb county.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

A bill to charter and incorporate the Pine lake and river booming and improvement company;

Also,

A bill granting ten (10) sections of swamp land for the drainage and improvement of Pine and Round lakes.

INTRODUCTION OF BILLS.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to change the name of Hattie Louisa Nichols, to Hattie Louisa Frazer, and to constitute her heir-at-law of Wm. A. Frazer and Phoebe Frazer.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ternes, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Springwells, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and

On motion of Mr. Ternes,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Hurlbut, previous notice having been given, and leave being granted, introduced

A bill to authorize secretaries and directors of mutual fire insurance companies to administer oaths and take testimony in certain cases.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to abolish the distinction between the law and equity courts of this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grant, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the first Methodist Episco-

pal Church of Hastings, Barry county, to sell and convey certain real estate.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Eaton, previous notice having been given, and leave being granted, introduced

A bill to amend section 7 of an act to authorize the formation of corporations for literary and scientific purposes, approved March 21, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to provide for the payment by the State, to the counties, the delinquent taxes on the State tax lands.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Osborn, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the public schools of the village Hudson."

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. W. D. Williams, previous notice having been given, and leave being granted, introduced

A bill to legalize the terms of the circuit courts in the counties composing the 12th judicial circuit, for the years 1865 and 1868 inclusive.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to authorize the "Kalamazoo Town Agricultural Society, for improving the breed of horses," to sell and dispose of its real estate.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to repeal act number 59, of the session laws of 1867, being an act entitled "An act to extend aid to the University of Michigan."

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to change the name of the township of North Climax, in Benzie county, to Inland.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill in relation to testimony in criminal cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to amend section 8, of chapter 1, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### THIRD READING OF BILLS.

House bill No. 15, entitled

A bill for the protection of buoys and beacons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,

Mr. Grant,  
Hartson,  
Holt,  
Hubbard,  
Hurlbut,  
Hutchinson,

Mr. Sanford,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,

|               |                 |                 |
|---------------|-----------------|-----------------|
| Bostwick,     | F. G. Kendrick, | Snell,          |
| Boynton,      | Kingsley,       | Stannard,       |
| G. G. Briggs, | Klein,          | Stewart,        |
| R. V. Briggs, | Lane,           | Stookbridge,    |
| Cameron,      | Lee,            | Swift,          |
| B. Clark,     | Lovell,         | Ternes,         |
| O. Clark,     | Mandigo,        | Thompson,       |
| Cogshall,     | Mason,          | Vowles,         |
| Crane,        | McCowen,        | Wagner,         |
| Crossman,     | Mead,           | Walker,         |
| Curry,        | Miller,         | Walton,         |
| Davis,        | Millington,     | Ward,           |
| Dussseau,     | Mitchell,       | Weier,          |
| Eaton,        | Murray,         | Wendell,        |
| Eck,          | Norton,         | Westover,       |
| Elliot,       | Osborn,         | White,          |
| Fancher,      | Purcell,        | Wilcox,         |
| Fenner,       | Putnam,         | H. G. Williams, |
| Fuller,       | Riford,         | J. A. Williams, |
| Gay,          | Riopelle,       | W. D. Williams, |
| Gifford,      | Romeyn,         | Woodard,        |
| Goodrich,     | Rowlson,        | Speaker, 84     |
|               | NAYS.           | 0               |

Title agreed to.

Mr. Romeyn moved that the bill be ordered to take immediate effect;

Which motion was withdrawn.

House joint resolution No. 1, entitled

Joint resolution asking Senators and Representatives in Congress, from Michigan, to secure the passage of the river and harbor appropriation bill, now pending in the United States Senate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|             |             |              |
|-------------|-------------|--------------|
| Mr. Ashley, | Mr. Grant,  | Mr. Sanford, |
| Avery,      | Hartson,    | Sheldon,     |
| Barnaby,    | Holt,       | Shier,       |
| Baxter,     | Hubbard,    | Sickels,     |
| Beall,      | Hurlbut,    | Slayton,     |
| Blake,      | Huston,     | R. B. Smith, |
| Bostwick,   | Hutchinson, | Snell,       |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Boynton,      | F. G. Kendrick, | Stannard,       |
| G. G. Briggs, | Kingsley,       | Stewart,        |
| R. V. Briggs, | Klein,          | Stockbridge,    |
| Cameron,      | Lane,           | Swift,          |
| B. Clark,     | Lee,            | Ternes,         |
| O. Clark,     | Lovell,         | Thompson,       |
| Cogshall,     | Mandigo,        | Vowles,         |
| Crane,        | Mason,          | Wagner,         |
| Crossman,     | McCowen,        | Walker,         |
| Curry,        | Miller,         | Walton,         |
| Davis,        | Millington,     | Weier,          |
| Dusseau,      | Mitchell,       | Wendell,        |
| Eaton,        | Murray,         | Westover,       |
| Eck,          | Norton,         | White,          |
| Elliott,      | Osborn,         | Wilcox,         |
| Fancher,      | Purcell,        | H. G. Williams, |
| Fenner,       | Putnam,         | J. A. Williams, |
| Fuller,       | Riford,         | W. D. Williams, |
| Gay,          | Riopelle,       | Woodard,        |
| Gifford,      | Romeyn,         | Speaker,        |
| Goodrich,     | Rowlson,        |                 |

83

NAYS.

0

Title agreed to.

House bill No. 16, entitled

A bill making guaranties of promissory notes negotiable, and providing that they shall pass to the holders of such notes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Grant,      | Mr. Putnam,  |
| Barnaby,      | Hartson,        | Riford,      |
| Baxter,       | Holt,           | Romeyn,      |
| Beall,        | Hubbard,        | Rowlson,     |
| Blake,        | Huston,         | Sanford,     |
| Boynton,      | Hutchinson,     | Slayton,     |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith, |
| Cameron,      | Kingsley,       | Snell,       |
| B. Clark,     | Klein,          | Stannard,    |
| O. Clark,     | Lane,           | Stewart,     |
| Cogshall,     | Lovell,         | Stockbridge, |
| Crane,        | Mandigo,        | Swift,       |
| Crossman,     | Mason,          | Ternes,      |
| Davis,        | McCowen,        | Thompson,    |



Eaton,  
Eck,  
Elliott,  
Fancher,  
Fenner,  
Fuller,  
Gay,  
Gifford,

Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Purcell,

Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Westover,  
Wilcox,

65

## NAYS.

Mr. Avery,  
Bostwick,  
G. G. Briggs,  
Curry,  
Dusseau,  
Goodrich,  
Hurlbut,

Mr. Lee,  
Riopelle,  
Sheldon,  
Shier,  
Sickels,  
Ward,  
Wendell,

Mr. White,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker,

20

Title agreed to.

House bill No. 17, entitled

A bill authorizing circuit courts sitting in chancery, to refer causes pending in chancery to special commissioners,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynnton,  
R. V. Briggs,  
Cameron,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Dusseau,  
Eaton,  
Eck,  
Fancher,  
Fenner,  
Fuller,  
Gay,

Mr. Holt,  
Hubbard,  
Hurlbut,  
Huston,  
Hutchinson,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
Mead,  
Millington,  
Mitchell,  
Norton,  
Osborn,  
Purcell,  
Putnam,  
Riford,

Mr. Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
H. G. Williams,

Gifford,  
Goodrich,  
Hartson,

Riopelle,  
Romeyn,  
Sanford,

W. D. Williams,  
Speaker,  
71

# NAYS.

Mr. G. G. Briggs,  
B. Clark,  
Curry,  
Davis,  
Elliott,

Mr. Grant,  
McCowan,  
Miller,  
Murray,  
Rowlson,

Mr. Ward,  
Wilcox,  
J. A. Williams,  
Woodard,  
14

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the tax roll of the village of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of taxes spread thereon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Dusseau,  
Eaton,  
Eck,  
Fancher,

Mr. Grant,  
Hartson,  
Holt,  
Hubbard,  
Huston,  
Hutchinson,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Osborn,  
Purcell,

Mr. Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,

Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Putnam,  
Riopelle,  
Romeyn,  
Rowlson,  
Sanford,

H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Speaker,

80

## NAYS.

Mr. Elliott,                      Mr. Riford,                      Mr. Woodard,                      3

Mr. Ward moved that Mr. Elliott be excused from voting;  
Which motion did not prevail.

Mr. Elliott then voted as recorded above.

Title agreed to.

On motion of Mr. Cogshall,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

On motion of Mr. Ternes,

The rule requiring the second and third reading of bills to  
be on different days was suspended, and the other bill on the  
order of third reading was put upon its passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the  
township of Springwells, in the county Wayne, for the year  
1868,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boytton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,

Mr. Grant,  
Hartson,  
Holt,  
Hubbard,  
Hurlbut,  
Huston,  
Hutchinson,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mason,  
McCowen,

Mr. Sanford,  
Sheldon,  
Shier,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,

|           |             |                 |
|-----------|-------------|-----------------|
| Crossman, | Mead,       | Walton,         |
| Curry,    | Miller,     | Ward,           |
| Davis,    | Millington, | Weier,          |
| Dussean,  | Mitchell,   | Wendell,        |
| Eaton,    | Murray,     | Westover,       |
| Eck,      | Norton,     | White,          |
| Elliott,  | Osborn,     | Wilcox,         |
| Fancher,  | Purcell,    | H. G. Williams, |
| Fenner,   | Putnam,     | J. A. Williams, |
| Fuller,   | Riford,     | W. D. Williams, |
| Gay,      | Riopelle,   | Woodard,        |
| Gifford,  | Rowlson,    | Speaker,        |
| Goodrich, |             |                 |

82

NAYS.

0

Title agreed to.

On motion of Mr. Ternes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on local taxation by unanimous consent, submitted the following report:

The committee on local taxation, to whom was referred Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Orange, in the county of Ionia, for the year 1868;

Also,

A bill to legalize the tax roll of the township of Croton, in the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein;

Also,

A bill to legalize the tax roll of the township of Brooks, in the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hurlbut,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bills were put upon their immediate passage.

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Orange, in the county of Ionia, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Gay,        | Mr. Riopelle,   |
| Avery,        | Gifford,        | Rowlson,        |
| Barnaby,      | Goodrich,       | Sanford,        |
| Baxter,       | Holt,           | Sheldon,        |
| Beall,        | Hubbard,        | Shier,          |
| Blake,        | Hurlbut,        | Slayton,        |
| Bostwick,     | Huston,         | R. B. Smith,    |
| Boynnton,     | Hutchinson,     | Snell,          |
| G. G. Briggs, | F. G. Kendrick, | Stannard,       |
| R. V. Briggs, | Kingsley,       | Swift,          |
| Cameron,      | Klein,          | Tarnes,         |
| B. Clark,     | Lane,           | Vowles,         |
| O. Clark,     | Lee,            | Walker,         |
| Cogshall,     | Mason,          | Walton,         |
| Crane,        | McCowen,        | Ward,           |
| Crossman,     | Mead,           | Weier,          |
| Curry,        | Miller,         | Wendell,        |
| Davis,        | Millington,     | White,          |
| Dusseau,      | Mitchell,       | Wilcox,         |
| Eaton,        | Murray,         | H. G. Williams, |
| Eck,          | Norton,         | J. A. Williams, |
| Elliott,      | Osborn,         | W. D. Williams, |
| Fancher,      | Purcell,        | Woodard,        |
| Fenner,       | Putnam,         | Speaker,        |
| Fuller,       | Riford,         |                 |

74

### NAYS.

0

Title agreed to.

On motion of Mr. R. B. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Oroton, in the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Goodrich,   | Mr. Sanford,    |
| Avery,        | Grant,          | Sheldon,        |
| Barnaby,      | Hartson,        | Shier,          |
| Baxter,       | Holt,           | Slayton,        |
| Beall,        | Hubbard,        | R. B. Smith,    |
| Blake,        | Hurlbut,        | Snell,          |
| Bostwick,     | Huston,         | Stannard,       |
| Boynton,      | Hutchinson,     | Stewart,        |
| G. G. Briggs, | F. G. Kendrick, | Stockbridge,    |
| R. V. Briggs, | Kingsley,       | Swift,          |
| Brownell,     | Klein,          | Ternes,         |
| Cameron,      | Lane,           | Thompson,       |
| B. Clark,     | Lee,            | Vowles,         |
| O. Clark,     | Lovell,         | Wagner,         |
| Cogshall,     | Mason,          | Walker,         |
| Crane,'       | McCowan,        | Walton,         |
| Crossman,     | Mead,           | Ward,           |
| Curry,        | Miller,         | Weier,          |
| Davis,        | Millington,     | Wendell,        |
| Dusseau,      | Mitchell,       | Westover,       |
| Eaton,        | Murray,         | White,          |
| Eck,          | Norton,         | Wilcox,         |
| Elliott,      | Osborn,         | H. G. Williams, |
| Fancher,      | Purcell,        | J. A. Williams, |
| Fenner,       | Putnam,         | W. D. Williams, |
| Fuller,       | Riford,         | Woodard,        |
| Gay,          | Riopelle,       | Speaker,        |
| Gifford,      | Rowlson,        | 83              |
|               | NAYS.           | 0               |

Title agreed to.

On motion of Mr. Fancher,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Brooks, in

the county of Newaygo, for the year 1868, and to extend the time for the collection of taxes therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Goodrich,   | Mr. Sanford,    |
| Avery,        | Grant,          | Sheldon,        |
| Barnaby,      | Hartson,        | Shier,          |
| Baxter,       | Holt,           | Slayton,        |
| Beall,        | Hubbard,        | R. B. Smith,    |
| Blake,        | Hurlbut,        | Snell,          |
| Bostwick,     | Hutchinson,     | Stannard,       |
| Boynton,      | F. G. Kendrick, | Stewart,        |
| G. G. Briggs, | Kingsley,       | Stockbridge,    |
| R. V. Briggs, | Klein,          | Swift,          |
| Cameron,      | Lane,           | Ternes,         |
| B. Clark,     | Lee,            | Thompson,       |
| O. Clark,     | Lovell,         | Vowles,         |
| Cogshall,     | Mason,          | Wagner,         |
| Crane,        | McCowen,        | Walker,         |
| Crossman,     | Mead,           | Ward,           |
| Curry,        | Miller,         | Weier,          |
| Davis,        | Millington,     | Wendell,        |
| Dussean,      | Mitchell,       | Westover,       |
| Eaton,        | Murray,         | Wilcox,         |
| Eck,          | Norton,         | H. G. Williams, |
| Elliott,      | Osborn,         | J. A. Williams, |
| Fancher,      | Putnam,         | W. D. Williams, |
| Fenner,       | Riford,         | Woodard,        |
| Fuller,       | Riopelle,       | Speaker,        |
| Gay,          | Rowlson,        |                 |

77

## NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. G. G. Briggs,

The House took a recess until 2½ o'clock this afternoon.

## AFTERNOON SESSION.

2½ o'clock P. M.

The House was called to order by the Speaker.

Roll called: quorum present.

## MOTIONS AND RESOLUTIONS.

Mr. Holt offered the following:

*Resolved*, (the Senate concurring,) That when this House adjourn on Friday, the 29th instant, that such adjournment be until Tuesday, the 9th day of February next, for the purpose of allowing time for the various committees to visit the State institutions.

Laid on the table for one day, under the rules.

Mr. Rowilson offered the following:

*Resolved*, That the compiler of the Manual be instructed to prepare a list of the names of the members of this House, with the names of the counties which they wholly or in part represent, and their respective places of boarding and post office address, age, profession and nativity, similar to the lists contained in the various Legislative manuals heretofore published, and that five hundred copies of the same be printed, for distribution among the members and officers of this House;

Which was adopted.

The committee on elections, by unanimous consent, submitted the following report:

The committee on elections, to whom was referred the memorial of Charles C. Dewey, asking the seat in this House occupied by John H. Hubbard, from the first representative district of Jackson county, respectfully report that immediately after the commitment of the case to their hands, a meeting of the committee was called for its consideration, at which meeting, both the contestant and the sitting member were present. Certain affidavits which accompanied the memorial, intended to establish irregularities, and illegalities in the election held in the township of Henrietta, in said district, were presented, and read before the committee: whereupon the sitting member asked that he might personally, or by attorney, exam-



ine or cross-examine the witnesses or parties who made said affidavits; such parties being residents of said township of Henrietta—being the township clerk, and one of the justices of the peace of said township. Your committee reported to the House, and asked for power to send for persons and papers in the case, and for the purpose of giving such sitting member the opportunity of procuring, through the authority of the House, the presence of the parties making such affidavits. The hearing of the case was postponed until Tuesday, January 19, at which time your committee again entered upon the consideration of the case.

The sitting member having *withdrawn* his request to examine or cross-examine the parties making the affidavits, the contestants stipulated that the *facts* in the case were substantially as set forth in such affidavits; that such irregularities or illegalities did occur in said township of Henrietta, as alleged, and that the case should be decided upon this single point, viz: was the election in the township of Henrietta *legal* and *valid*, or *illegal* and *void*?

The contestants appeared before your committee, both personally and by attorney, and after a full hearing, your committee are unable to make a unanimous report, and must, therefore, in view of the rights of minorities, which your committee and this House are bound to respect, submit this majority report of the facts before us, and the conclusion at which we have arrived:

1st. The sitting member, John H. Hubbard, holds his seat in this House by virtue of election certificate, given by board of district canvassers, based upon the township returns, showing a plurality of eight votes over his opponent, Charles C. Dewey;

2d. The returns of Henrietta, one of the townships of said district, gave the sitting member a plurality of eighty-two votes over his said opponent;

In the said township of Henrietta, as shown by the affidavits aforesaid, and as conceded by the sitting member, after opportunity had been fully granted him to investigate the facts, there were gross *irregularities* and *illegalities* in the election, inasmuch

as the entire ticket in that township was cut into four pieces, intended to be designated—Presidential ticket, State ticket, Congressional ticket and county ticket; and voted in four boxes, in direct violation of the *mandatorial* provisions of the law governing general elections. Within the meaning of the law the term “general election” is construed to mean, the election required by law to be held in the month of November.

Section one, of chapter six of compiled laws, recites the officers that shall be elected at such election, commencing with Governor, going through the entire list of State officers, Presidential electors, Representatives in Congress, Senators and Representatives in the State Legislature, and the entire list of county officers.

Section twenty-three of the same chapter says: “The *electors* shall vote by *ballot*, and each person offering to vote *shall* deliver his *ballot* folded,” &c.

Section twenty-four of the same chapter says:

“The ballot shall be a paper ticket, which shall contain written or printed, or partly written and partly printed, the names of all the persons for whom the elector intends to vote,” &c.

Section twenty-six, same chapter, says:

“There shall be provided, and kept by the township clerk in each township, at the expense of such township, and in each ward in any city, by the assessor thereof, at the expense of the city, one suitable ballot box, with lock and key, which ballot-box shall have an opening,” &c.

It will be seen—

- 1st. That the law defines what a general election is;
- 2d. That it names all the officers to be elected at such time;
- 3d. That in each case the word *ballot* is in the singular number;
- 4th. That the single ballot shall contain all the names for whom the party desires to vote; and
- 5th. That the township clerk shall furnish one box.

Five points which define clearly the irregularity and illegality of the election in the said township of Henrietta.

But your committee have investigated so far as is within their reach, the various rules and precedents laid down by other authority upon this subject. We cite Cushing's "Law and Practice of Legislative Assemblies," page 39, where he lays down this rule: "Where the form of a ballot or the manner of depositing it in the box is prescribed by law, ballots must be prepared and deposited accordingly, or they will be rejected by the returning officer." It will be argued in the interest of the sitting member, that these irregularities and illegalities are trifling; that they wrong no one, and that the voters of the township of Henrietta must not be disfranchised. Let us see. It will be noticed, and it is a fact to which your committee desire to call the attention of every member, that these irregularities in the township of Henrietta pertain to the election itself, and not to the canvass or return. There are numerous cases that might be cited, and no doubt will be by the minority of your committee, in which the canvass and return of votes were irregular. Yet the election was held valid, on the ground that the return was but the record that an election had been held—the evidence of the election—but your committee find that in almost, or quite every instance, where the *illegality* pertains to the election itself, that election is held to be void. In proof of this, we cite from the 13th Michigan Reports, the case of The People against Knight, in which the election of the township of Pontiac was considered void, on the ground that it was illegal to hold the township election in the city of Pontiac, notwithstanding it was held where it had been held for years, and conducted in a regular manner. It was thrown out, changing the result of the election.

Also the case of Howard against Cooper, in contested election cases in Congress, page 281, where the entire vote of the township of Grosse Point was thrown out on account of the election in that township having been held at the house of one Kline, when it should have been held at the house of one Wilson. Other cases might easily be cited, but your committee deem this enough to establish conclusively, that not only the

Supreme Court of this State, but the Congress of the United States have established the rule laid down, as above, by *Cushing*—that for irregularities or illegalities in the election itself, the election is rendered void, and, if you please, the electors of such township disfranchised.

Again, it will be urged in the interest of the sitting member, that the irregularities of this particular case are not sufficient to invalidate the election; that the *equities* of the case should hold the election valid. Your committee are of opinion that this particular case shows conclusively that illegalities of this particular kind are of a most dangerous character; that a just and correct determination, without fraud, of the choice of the electors of any township, upon this plan of four boxes, would be almost an impossibility, owing to the difficulty of deciding correctly in each case as to which box each ticket belonged. In this case, five ballots, or parts of ballots rather, upon which was the name of the contestant, Charles C. Dewey, for Representative in the State Legislature, first district, were found in the wrong box, and were not counted to him, but thrown out as void. Clearly this was wrong, as we have authority upon the subject—as in case where, in the city of Detroit, a city and “general election” was held on the same day, and where the general ticket got into the city box, it was held by our Supreme Court that it should be treated as though found in the proper box. Carry this out. Say an election in a representative district is very close; the State ticket is conceded; the friends say ten in number of one of the representative candidates instead of voting one each of the four *cuts* of the ticket, vote each two county tickets, with the name of the Representative on them, calling one of them his *State ticket*. The inspectors of the election cannot detect the fraud. They have no right to open the ballot. Upon the canvass the tickets must be counted, no matter in which box found. Of course there would be an excess of county tickets, provided each voter had voted a county ticket. What then? The tickets must be folded, put in a box, and the excess

drawn out. Say the entire vote of the township is 300; the chances are just thirty to one that ten honest voters will be disfranchised, and the fraudulent votes counted. Extend the case. If it is legal when the law provides for one ballot and one box, to use four ballots and four boxes, it is legal to use five ballots and five boxes. If five, then ten; the door once opened, you invite fraud beyond limit.

In view, therefore, of the obvious illegality of the election *itself* in the said township of Henrietta, held in the open violation of the mandatorial provisions of the law, of the very dangerous character of such illegalities, your committee recommend the adoption of the following :

*Resolved*, That Charles C. Dewey is legally entitled to the seat in this House occupied by John H. Hubbard, from the 1st Representative district of Jackson county.

D. L. CROSSMAN,

UZZIEL PUTNAM, JR.,

C. R. MILLINGTON.

Report accepted, and leave granted the minority of the committee to report.

By the minority of the committee on elections:

The undersigned, minority of the committee on elections, to which committee was referred the petition of Charles C. Dewey, to be admitted to the seat in this House now occupied by John H. Hubbard, from the first Representative district of Jackson county, being unable to agree with the majority report of said committee, are compelled to dissent therefrom, and respectfully submit the following minority report:

The *facts* in this case are undisputed, a statement thereof having been submitted by the respective parties, and agreed to by them, and the single question involved is one purely of law, and the construction of the statutes *as pertinent to this investigation*.

At the election for office of representative in said district, it appears that in the township of Henrietta, the ballots cast were divided into four parts each, and that these parts were depos-

ited respectively in four different boxes, or in a box divided into four compartments. Whether they were actually divided by the electors themselves, or by the inspectors, does not appear, nor was this deemed a material fact. In the division of the ballots, and the depositing of them in different boxes, instead of in one box, it is claimed by Dewey that an irregularity existed, which vitiates the whole election in that township, and operates to throw out the vote of Henrietta, and so to secure the contested seat for him.

It is in this conclusion that the undersigned find themselves unable to concur.

Many cases of contested elections have been cited before the committee on the part of Dewey, to establish his claim on this point, but those have not proved sufficient in their application to this case to convince the undersigned of the justice and soundness of his position, and they found their disagreement with the conclusion of the majority of the committee on the following grounds and propositions:

1st. The committee of the House, as a part of the House, exercise a discretionary power in such cases as this, and as judges of the election of the members of the House, they, concurrently with the House, are bound to decide as well according to equity as to the strict rule of law.

In this case it is not claimed by Dewey that any fraud was used to procure the result, (the poll lists tallying with the ballots,) and it is conceded that a larger number of qualified electors voted for Hubbard than for him. Under these circumstances, a strict application of the law, (*if mandatory*, and the undersigned do not so regard it,) would work injustice to the electors as well as to the incumbent, who holds the certificate, and who is apparently, as well as in fact, the choice of the electors of the township.

2d. The law requiring one ballot, containing all the names, to be deposited in one box, is not *mandatory*, but *directory*, and a failure to comply with its provisions strictly, provided there be a substantial and bona fide compliance as in this case,

is not sufficient to defeat the intention of the electors, as clearly and unmistakably expressed. This would be to disfranchise a whole township for the *mistake* merely of the officers of election, in which mistake the electors had no part or responsibility; and where, as in this House, a discretionary power exists, it should be so exercised as to carry into effect the obvious and honest intent of the voters.

The undersigned, therefore, are of the opinion that John H. Hubbard, having received the largest number of votes, although these were wrongly, but not wrongfully, divided and deposited, and this without his fault or that of the electors voting for him, was equitably and in fact elected to said office of Representative, and is justly entitled to retain his seat as such.

They therefore recommend the adoption of the following resolution, as a substitute for that offered by a majority of said committee:

*Resolved*, That the petition of Charles C. Dewey, asking for a seat in this House, as a Representative from the first district of Jackson county, in place of John H. Hubbard, now occupying such seat, be rejected, and the prayer thereof refused.

JAS. W. ROMEYN,  
BELA COGSHALL,  
*Of Committee on Elections.*

Report accepted.

Mr. Sanford moved that the resolution accompanying the report of the majority of the committee be adopted.

Mr. Eaton moved that the two reports be ordered printed, and made the special order for Wednesday, the 27th inst., at 2 o'clock, P. M.;

Which motion prevailed.

Mr. Sheldon moved that the House adjourn;

Which motion was withdrawn.

#### GENERAL ORDER.

On motion of Mr. Slayton,

The House went into committee of the whole, on the general order,

Mr. Huston in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following joint resolution:

House joint resolution No. 2, entitled

Joint resolution asking for a grant of \$50,000 in money, to deepen St. Mary's Falls ship canal;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills:

1. Senate bill No. 9, entitled

A bill to repeal section 1, of chapter 103, of the revised statutes of 1846, and to amend section 2 of the same chapter, being sections 4343 and 4344 of the compiled laws;

2. Senate bill No. 15, entitled

A bill to amend chapter 123, of revised statutes of 1846, being chapter 150, of compiled laws, "of proceedings to recover the possession of lands," by adding two new sections thereto, to stand as sections 28 and 29;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

Mr. Crossman moved that the House concur in the amendment made by the committee to the joint resolution;

Which motion prevailed.

The joint resolution and the several bills were then placed on the order of third reading.

On motion of Mr. Brownell,

The House adjourned until to-morrow morning at 10 o'clock.



*Lansing, Friday, January 22, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Baldwin.

Roll called: quorum present.

Absent without leave: Messrs. Gifford, Jewell, Romeyn, Shaw, Thompson and White.

Mr. Stockbridge asked and obtained leave of absence for Mr. Gifford, for the day.

Mr. Purcell asked and obtained leave of absence for Mr. Romeyn, until Tuesday morning.

Mr. Walton asked and obtained leave of absence for Mr. Jewell, until Tuesday morning.

Mr. Grant asked and obtained leave of absence for Mr. Thompson, until Tuesday morning.<sup>1</sup>

Mr. Baxter asked and obtained leave of absence for himself, until Tuesday morning.

Mr. Barnaby asked and obtained leave of absence for himself, until Tuesday next.

Mr. Wilcox asked and obtained leave of absence for Mr. White, for an indefinite time, on account of sickness.

Mr. L. Kendrick asked and obtained leave of absence for himself, until Wednesday morning.

Mr. Crane asked and obtained leave of absence for Mr. Shaw, until Tuesday morning.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: resolution of the board of supervisors of Houghton county, instructing their representative to use all honorable means to secure the passage of a law abolishing the specific taxes paid by corporations formed for mining copper in the Upper Peninsula.

Referred to the committee on mines and minerals.

By Mr. Miles: petition of Geo. W. Howe and 52 others, citizens of Port Huron, praying for the passage of a bill equalizing State bounties to soldiers in the late civil war.

Referred to the committee on military affairs.

By Mr. Blake: petition of D. F. Miller, Geo. H. Osgood, A. I. Emlaw, B. W. Parks and 42 others, asking that sections 1588, 1589 and 1590, of the compiled laws of this State, so far as the same relate to the playing of billiards, and keeping billiard tables for hire, so that such sections, and the laws now in force be so amended that licenses may be granted therefor.

Referred to the committee on State affairs.

By Mr. Murray: petition of John W. Fallass and Edwin Fallass, for a State road from Lowell, in Kent county, to Smyrna, in Ionia county.

Referred to the committee on roads and bridges.

By Mr. H. G. Williams: petition of the president and common council, and 70 other tax-paying citizens of the village of Marquette, for the organization of a board of water and fire commissioners for said village.

Referred to the committee on banks and incorporations.

By Mr. Avery: memorial of the trustees of the Baptist society in the village of Greenville, Montcalm county, asking that their action in conveying certain real estate, be legalized.

Referred to the committee on religious and benevolent societies.

By Mr. Avery: petition of Hon. C. C. Ellsworth, E. B. Edwards, W. N. Potter, C. J. Church and 145 others, tax-payers of the township of Eureka, Montcalm county, asking for the passage of an act legalizing the vote of said township to grant aid to the Marshall and Greenville Railroad.

Referred to the committee on internal improvements.

By Mr. Lane: petition of T. T. Hubbard and 118 others, to authorize the village of South Saginaw to raise money to build a station house, or lock-up, for the use of said village.

Referred to the committee on local taxation.

By Mr. Walton: petition of Alonzo Mitchell, Samuel D. Sharp and 95 others, citizens and tax-payers of the township of Palmyra, Lenawee county, asking for the passage of a law

relieving them from further taxation on account of county ditches.

Referred to the committee on drainage.

By Mr. Eaton: preamble and resolution of the city of Dubuque, Iowa, relative to a reciprocity treaty between the United States and Great Britain, in favor of the dominion of the Canadas.

Referred to the committee on federal relations.

#### REPORTS OF STANDING COMMITTEES

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 17, entitled

A bill to amend act No. 227, of the session laws of 1863, entitled "An act to amend sections 1, 2, 4, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358, of the compiled laws, touching the limitation of actions relating to real property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to abolish the distinction between the law and equity courts of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huston,

The further consideration of the bill was indefinitely postponed.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to establish the number of hours constituting a day's labor, or work,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

Mr. Miles moved that the bill be ordered printed, referred to the committee of the whole, and placed on the general order;

Which motion did not prevail.

On motion of Mr. Mead,

The further consideration of the bill was indefinitely postponed.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Hattie Louisa Nichols to Hattie Louisa Frazer, and to constitute her heir-at-law of Wm. A. Frazer and Phoebe Frazer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 335, chapter 10, of the compiled laws, relative to the annual meetings of county boards of supervisors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Snell,

The further consideration of the bill was indefinitely postponed.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution for the relief of Theron Ford,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and asked to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman.*

Report accepted and committee discharged.

Mr. Sanford moved that the rules be suspended, and the joint resolution placed on the order of third reading;

Which motion did not prevail.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements report herewith a bill, entitled

A bill to enable any township or city to pledge their credit, to aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill granting the right of way through lands owned by the State, for a railroad in Menominee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 1, being

Joint resolution to provide for paying publishers of newspapers for publishing the constitution of 1867, as provided by the schedule of said constitution,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Kalamazoo town agricultural society for improving the breed of horses, to sell and dispose of its real estate;

Also: petition of Hon. Charles E. Stuart, president, G. H. Gale, secretary, Wm. G. Pattison, treasurer, the board of directors, and nearly all of the stockholders of said society, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A petition from the common council and many citizens of the village of Holly, in Oakland county, asking for amendments of sections 14, 21, 26 and 28, of an act entitled "An act to incorporate the village of Holly," approved March 8, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 21, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by Senate to transmit the following bills:



1. Senate bill No. 11, entitled

A bill to amend section 5654, of the compiled laws, being section 18, of chapter 150, title 24, of the revised statutes of 1846, relative to the fees of jurors;

2. Senate bill No. 16, entitled

A bill to amend section 39 of an act entitled "An act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 14, 1858, being section eight hundred and twenty-one of the compiled laws, and to repeal act No. 273, session laws of 1865, approved March 25, 1865;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 21, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Whereas*, It is of the greatest importance that the "Northern Pacific railroad" should be completed as soon as possible; therefore

*Resolved*, (the Senate concurring,) That the committees on internal improvements of the House and Senate, act as a joint committee, to report as soon as convenient, what action it is necessary for this Legislature to take, to aid in forwarding the early construction of the "Northern Pacific railroad;"

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

NOTICES.

Mr. Murray gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road from Lowell, in Kent county, to Smyrna, in Ionia county.

Mr. F. G. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to incorporate the society known as the Pocahontas society No. 1, of the improved order of red men, of the city of Detroit.

Mr. Baxter gave notice that on some future day he would ask leave to introduce

A bill to aid in the government of our common schools;

Also,

A bill to protect from unnecessary interruption and disturbance, our common schools;

Also,

A bill to change the name of the first Congregational Church and Society of Raisin, being in the county of Lenawee, and State of Michigan, to the first Presbyterian Church and Society of Raisin.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to amend sections one and two, of act No. 174, of the laws of 1867, being an act supplementary to "An act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, silver, or other ores of minerals," approved February 15, 1853.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to empower the village of South Saginaw, in the

county of Saginaw, to raise money by direct tax to build and maintain a station house, for the confinement of persons arrested for the violation of the ordinances of said village;

Also,

A bill to amend act No. 239, of the session laws of 1865, approved March 18, A. D. 1865, being an act to organize union school district No. 1, in the township of Spaulding, in the county of Saginaw; also to add a new section thereto.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 181, of the revised statutes of 1846, of the compiled laws, by adding a new section thereto.

#### INTRODUCTION OF BILLS.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to authorize Wellington R. Burt to select 720 acres of State swamp land, in lieu of a like amount selected by him and sold by the State.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a road, to be known as the Bay City State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to change the name of Matey Spalding to Matey Dakin.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Baxter, unanimous consent being given, introduced

A bill to change the name of "The First Congregational

Church and Society of Raisin," (being in the county of Lema-wee and State of Michigan,) to the "First Presbyterian Church and Society of Raisin."

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Avery, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the trustees of the Baptist society of the village of Greenville, Montcalm county, in conveying certain real estate.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. F. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to change the name of William L. Bullock to William Deits.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

#### THIRD READING OF BILLS.

House joint resolution No. 2, entitled

Joint resolution asking for a grant of \$50,000 in money, to deepen St. Mary's Falls ship canal,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hartson,    | Mr. Putnam,  |
| Baxter,       | Holt,           | Riopelle,    |
| Beall,        | Hubbard,        | Sanford,     |
| Blake,        | Hurlbut,        | Sheldon,     |
| Bostwick,     | Huston,         | Shier,       |
| Boynnton,     | Hutchinson,     | Sickels,     |
| G. G. Briggs, | Ingersoll,      | Slayton,     |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith, |
| Brownell,     | Kingsley,       | Snell,       |
| Cameron.      | Klein,          | Stannard,    |
| B. Clark,     | Lane,           | Stewart,     |
| O. Clark,     | Lee,            | Stockbridge, |
| Cogshall,     | Lovell,         | Ternes,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | Mandigo,    | Vowles,         |
| Crossman, | Mason,      | Walton,         |
| Curry,    | McCowan,    | Ward,           |
| Davis,    | McKernan,   | Weier,          |
| Dussean,  | Miles,      | Wendell,        |
| Eaton,    | Miller,     | Westover,       |
| Eck,      | Millington, | Wilcox,         |
| Elliott,  | Mitchell,   | H. G. Williams, |
| Fancher,  | Murray,     | J. A. Williams, |
| Fenner,   | Norton,     | W. D. Williams, |
| Fuller,   | Osborn,     | Woodard,        |
| Gay,      | Plimpton,   | Yawkey,         |
| Goodrich, | Purcell,    | Speaker,        |
| Grant,    |             |                 |

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NAYS.

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Title and preamble agreed to.

Senate bill No. 15, entitled

A bill to amend chapter 123, of revised statutes of 1846, being chapter 150 of compiled laws, "of proceedings to recover the possession of lands," by adding two new sections thereto, to stand as sections 28 and 29,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Huston moved to strike out the word "complainant," in the eighth line of recited section 29, and insert "complaint" in lieu thereof;

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery     | Mr. Holt,       | Mr. Putnam,  |
| Baxter,       | Hubbard,        | Riopelle,    |
| Beall,        | Hurlbut,        | Sanford,     |
| Blake,        | Huston,         | Sheldon,     |
| Bostwick,     | Hutchinson,     | Shier,       |
| Boynnton,     | Ingersoll,      | Sickels,     |
| G. G. Briggs, | F. G. Kendrick, | Slayton,     |
| R. V. Briggs, | Kingsley,       | R. B. Smith, |
| Brownell,     | Klein,          | Snell,       |
| Cameron,      | Lane,           | Stannard,    |
| B. Clark,     | Lee,            | Stewart,     |

O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Eaton,  
Eck,  
Elliott,  
Fancher,  
Fenner,  
Fuller,  
Gay,  
Goodrich,  
Grant,  
Hartson,

Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Purcell,

Stockbridge,  
Ternes,  
Vowles,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

79

## NAYS.

Mr. Dusseau,

1

Title agreed to.

Senate bill No. 9, entitled

A bill to repeal section 1, of chapter 103, of the revised statutes of 1846, and to amend section 2 of the same chapter, being sections 4343 and 4344 of the compiled laws.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,

Mr. Hartson,  
Holt,  
Hubbard,  
Huston,  
Hutchinson,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Mead,

Mr. Putnam,  
Riopelle,  
Sanford,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Vowles,  
Walton,  
Ward,  
Weier,

|           |             |                 |
|-----------|-------------|-----------------|
| Dussau,   | Miles,      | Wendell,        |
| Eaton,    | Miller,     | Westover,       |
| Eck,      | Millington, | Wilcox,         |
| Elliott,  | Mitchell,   | H. G. Williams, |
| Fancher,  | Murray,     | J. A. Williams, |
| Fenner,   | Norton,     | W. D. Williams, |
| Fuller,   | Osborn,     | Woodard,        |
| Gay,      | Plimpton,   | Yawkey,         |
| Goodrich, | Purcell,    | Speaker,        |
| Grant,    |             |                 |

79

## NAYS.

Mr. Hurlbut,

1

Title agreed to.

House manuscript bill, entitled

A bill to change the name of Hattie Louisa Nichols to Hattie Louisa Frazer, and to constitute her heir-at-law of Wm. A. Frazer and Phoebe Frazer,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hartson,    | Mr. Putnam,     |
| Baxter,       | Holt,           | Riopelle,       |
| Beall,        | Hubbard,        | Sanford,        |
| Blake,        | Hurlbut,        | Sheldon,        |
| Bostwick,     | Huston,         | Shier,          |
| Boynton,      | Hutchinson,     | Sickels,        |
| G. G. Briggs, | Ingersoll,      | Slayton,        |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| Brownell,     | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Vowles,         |
| Crossman,     | Mason,          | Walton,         |
| Curry,        | McCowen,        | Ward,           |
| Davis,        | McKernan,       | Weier,          |
| Dussau,       | Mead,           | Wendell,        |
| Eaton,        | Miles,          | Westover,       |
| Eck,          | Miller,         | Wilcox,         |
| Elliott,      | Millington,     | H. G. Williams, |
| Fancher,      | Mitchell,       | J. A. Williams, |

|           |           |                 |
|-----------|-----------|-----------------|
| Fenner,   | Murray,   | W. D. Williams, |
| Fuller,   | Norton,   | Woodard,        |
| Gay,      | Osborn,   | Yawkey,         |
| Goodrich, | Plimpton, | Speaker,        |
| Grant,    | Purcell,  | 80              |
|           | NAYS.     | 0               |

Title agreed to.

On motion of Mr. Mead,

By a vote of two-thirds of all the members elect, the bill was orderde to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. R. V. Briggs moved to discharge the committee of the whole from the further consideration of House bill No. 18, entitled

A bill to extend the time for the collection of taxes in the city of Wyandotte, and the township of Ecorse, Wayne county, for the year 1868;

Which motion prevailed.

On motion of Mr. Ternes,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hartson,    | Mr. Purcell, |
| Baxter,       | Holt,           | Putnam,      |
| Beall,        | Hubbard,        | Riopelle,    |
| Blake,        | Hurlbut,        | Sanford,     |
| Boynton,      | Huston,         | Sheldon,     |
| G. G. Briggs, | Hutchinson,     | Shier,       |
| R. V. Briggs, | Ingersoll,      | Sickels,     |
| Brownell,     | F. G. Kendrick, | Slayton,     |
| Cameron,      | Kingsley,       | Snell,       |
| B. Clarke,    | Klein,          | Stannard,    |
| O. Clark,     | Lane,           | Stewart,     |
| Cogshall,     | Lee,            | Stockbridge, |



|           |             |                 |    |
|-----------|-------------|-----------------|----|
| Crane,    | Lovell,     | Ternes,         |    |
| Crossman, | Mandigo,    | Vowles,         |    |
| Curry,    | Mason,      | Walton,         |    |
| Davis,    | McCowen,    | Ward,           |    |
| Dusseau,  | McKernan,   | Weier,          |    |
| Eaton,    | Mead,       | Wendell,        |    |
| Eck,      | Miles,      | Westover,       |    |
| Elliott,  | Miller,     | Wilcox,         |    |
| Fancher,  | Millington, | H. G. Williams, |    |
| Fenner,   | Mitchell,   | J. A. Williams, |    |
| Fuller,   | Murray,     | W. D. Williams, |    |
| Gay,      | Norton,     | Woodard,        |    |
| Goodrich, | Osborn,     | Yawkey,         |    |
| Grant,    | Plimpton,   | Speaker,        | 78 |
|           | NAYS.       |                 | 0  |

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr Ternes moved to discharge the committee of the whole from the further consideration of House bill No. 19, entitled

A bill to extend the time for the collection of taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

Which motion prevailed.

On motion of Mr. Ternes,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ternes moved to amend the bill by inserting after the words "townships of," in the second line of the first section, the word "Brownstown;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr Avery,     | Mr. Grant,      | Mr. Purcell,    |
| Baxter,       | Hartson,        | Putnam,         |
| Beall,        | Holt,           | Riopelle,       |
| Blake,        | Hubbard,        | Sanford,        |
| Bostwick,     | Hurlbut,        | Sheldon,        |
| Boynton,      | Hutchinson,     | Shier,          |
| G. G. Briggs, | Ingersoll,      | Sickels,        |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Brownell,     | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogahall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Vowles,         |
| Crossman,     | Mason,          | Walton,         |
| Curry,        | McCowen,        | Ward,           |
| Davis,        | McKernan,       | Weier,          |
| Dusseau,      | Mead,           | Wendell,        |
| Eaton,        | Miles,          | Westover,       |
| Eck,          | Miller,         | Wilcox,         |
| Elliott,      | Millington,     | H. G. Williams, |
| Fancher,      | Mitchell,       | J. A. Williams, |
| Fenner,       | Norton,         | W. D. Williams, |
| Fuller,       | Osborn,         | Yawkey,         |
| Gay,          | Plimpton,       | Speaker,        |
| Goodrich,     |                 | 76              |

## NAYS.

0

The question being on agreeing to the title,

Mr. Ternes moved to amend the title of the bill by inserting after the words "townships of," the word "Brownstown;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Ternes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. H. G. Williams offered the following:

Whereas, It is brought to the notice of members of this House, on reliable authority, that the Swamp Land State Road

Commissioner refuses to approve any more contracts for the construction of State roads in the Upper Peninsula, and thereby delays the construction of the State roads therein, provided by law; therefore,

*Resolved by the House of Representatives of the State of Michigan,* That a committee of three, two of whom shall be from the Upper Peninsula, be appointed by the Speaker, to inquire into his reasons and motives for delaying the construction of said roads, and that they report thereon to this House, and whether any further legislation is needed relating thereto;

Which was adopted.

Mr. Fuller offered the following:

*Resolved,* (the Senate concurring,) That the State Librarian be authorized and directed to purchase sixty-five copies of "Raid's Index to the Session Laws of Michigan," for the use of the members of the Legislature, (provided that the expense shall not exceed two dollars per copy, the same to remain in the State Library for the use of future Legislatures;

Laid on the table for one day, under the rules.

#### UNFINISHED BUSINESS,

Being the consideration of the following:

*Resolved,* (the Senate concurring,) That when this House adjourn on Friday, the 29th instant, that such adjournment be until Tuesday, the 9th day of February next, for the purpose of allowing time for the various committees to visit the State institutions;

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. Plimpton,

The House went into committee of the whole, on the general order,

Mr. Ingersoll in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 20, entitled

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 3, entitled

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagon river;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendments made to the bill by the committee, and the bill and joint resolution were placed on the order of third reading.

On motion of Mr. Boynton,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Saturday, January 23, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave: Messrs. Brownell, Curry, Eaton, Goodrich, Murray, Riford, Rowison, R. B. Smith and Wagner.

Mr. Fenner asked and obtained leave of absence for Mr. Brownell, until Monday morning.

Mr. G. G. Briggs asked and obtained leave of absence for Mr. Curry, until Tuesday morning.

Mr. Riopelle asked and obtained leave of absence for Mr. Eaton, until Tuesday morning.

Mr. Hubbard asked and obtained leave of absence for Mr. Goodrich, until Tuesday morning.

Mr. Davis asked and obtained leave of absence for Mr. Murray, until Wednesday morning.

Mr. Crossman asked and obtained leave of absence for Mr. Riford, until Wednesday morning.

Mr. McCowen asked and obtained leave of absence for Mr. Rowison, until Tuesday morning.

Mr. Holt asked and obtained leave of absence for Mr. R. B. Smith, for the day.

Mr. B. Clark asked and obtained leave of absence for Mr. Wagner, until Tuesday next.

The Speaker announced as the special committee to inquire into the reasons why the Swamp Land State Road Commissioner refuses to approve any more contracts for the construction of State roads in the Upper Peninsula, Messrs. H. G. Williams, McKernan and Snell.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of R. G. Merriam, C. F. Mallory and 30 others, citizens of Romeo, praying for the passage of a law allowing the cities, towns and counties upon the line of the Michigan Air Line railroad, to vote aid to said road.

Referred to the committee on internal improvements.

By Mr. Lovell: petition of Ferdinand Sprague and 75 others, citizens of the village of Augusta, Kalamazoo county, praying for an act authorizing the organization of the village of Augusta.

Referred to the committee on banks and incorporations.

By Mr. G. G. Briggs: remonstrance of S. B. Thayer, M. H. Joy, John T. Hinman, L. D. Dibble, and 389 other citizens of the city of Battle Creek, Calhoun county, against the repeal or modification of the law of 1855, creating a chair of Homeopathy in the State University.

Referred to the committee on education.

By Mr. Vowles: petition of Mark Arnold, J. B. Webster and 55 others, of Oakland and Wayne counties, asking for the incorporation of the Wayne and Pontiac railroad company.

Referred to the committee on internal improvements.

By Mr. Avery: petition of L. Jud Macumber, asking for the passage of an act legalizing the sale of certain primary school lands.

Referred to the committee on the judiciary.

By Mr. G. G. Briggs: the memorial of Wayne county Homeopathic Institute, respecting the University.

On motion of Mr. G. G. Briggs,

The memorial was referred to the committee on education, and was ordered printed in the Journal.

The following is the memorial:

*To the Hon. the Senate and House of Representatives of the State of Michigan:*

The "Wayne County Homeopathic Institute," an organization consisting of the Homeopathic practitioners of medicine in Wayne county, and acting as auxiliary to the State society, the "Michigan Homeopathic Institute," most respectfully offers the following memorial:

The State Legislature for the year 1855, added to the law which gave the Regents of the University certain powers for the government of that institution, a proviso that there should be at least one professor of Homeopathy maintained in the

medical department. Up to the present time, this proviso has not been complied with, although the Board of Regents have continued in the exercise of all the powers restrained from them by the proviso referred to.

The Legislature of 1867 appropriated to the University a 1-20 mill tax for its support, contingent upon the fulfillment of the law of 1855, in reference to this chair of Homeopathy. The Board of Regents, influenced by the dominant school of medicine at Ann Arbor, refused to establish such professorship, but in order to secure the funds for the relief of its necessities, and at the same time establish means of instruction for Homeopaths, resolved to organize a school of Homeopathy, to be located at some other point. Said school was to have two professors, appointed by the Regents, and funds were to be appropriated for further appointments.

A demand being made upon the Auditor General for the 1-20 mill tax that had accumulated, it was refused, upon the ground that the Regents had no power to establish a department of the University outside of Ann Arbor. The question being carried before the Supreme Court, the action of the Auditor General was sustained.

Consequently nothing has been accomplished thus far, either for the relief of the University, or for the establishment of a Homeopathic branch of the University.

In consideration of these facts, your memorialists, expressing, as it is believed, the desires of a large portion of the citizens of this State, most respectfully petition for the relief to which they are entitled. We respectfully urge that as the medical department of the University is entirely under the tutorship of the Allopathic branch of the medical profession, which excludes with bitter hostility any departure from their exclusive dogmas, even threatening to desert the institution if a single professor of Homeopathy was admitted to its curriculum; that the Board of Regents have paid undue deference to these foolish prejudices, listening to the suggestions of those who desire that only Allopathy should be fostered, that the monopoly should be per-

petuated and the laws of your Honorable body disregarded; thus has a dangerous example been set, and one of the noblest educational institutions of our country been crippled.

Your memorialists further represent, that the system of Homeopathy, in its infancy, embraced but a small fraction of the medical fraternity, but now, in its manhood, it can demonstrate its reality and strength; it encroaches upon the oldest landmarks of medicine. Even by scientific agencies outside of the profession, it has succeeded in modifying the practice of the old school here as well as in Europe; it has colleges in nearly all our large cities; it has dispensaries for the poor in every State North; it has public hospitals in several cities; among its practitioners are authors of renown, and men of scientific attainments; it has journals of a high order of talent circulating throughout the civilized world; it is no longer considered an experiment, but a reality to be demonstrated in the crucible of facts, and weighed in the balances of figures.

Your memorialists consider that the epithet of quackery should be applied to those who foster nostrums (secret remedies) and patent medicines, and not to them. The Homeopathic State and National associations do not allow their members to deal in quack remedies. Homeopathic journals will not advertise them. Ought not allopathy to be charged with the odium of generating and distributing such a vast mass of disease-creating compounds? Homeopathic remedies are not secret mixtures. Homeopathy diffuses a pure light, and desires for its students a free and liberal education.

Your memorialists most respectfully request your Honorable body not to grant additional aid to the University of Michigan, or to authorize the payment of the last appropriation, without adequate provision for teaching the homeopathic system of medicine.

Furthermore, your memorialists respectfully declare that we desire the fulfillment of the law of 1855, establishing a chair of homeopathy in the medical department as it now exists, or in lieu of this, a separate department, located upon the Univer-



sity grounds, with all the facilities for instruction required by a first-class college, and all the privileges now extended to the allopathic department.

Your memorialists beg leave further to state, that if your Honorable body will not grant our petition as above, then we most respectfully ask, that if any amendment be made to the law of 1867, that you will provide for the establishment of a branch of the University of Michigan, to be located by the Board of Regents, with a full corps of homeopathic professors, to be paid the same salaries as the medical professors in the old medical department; such branch to issue to its graduates the University degree, and to be considered a part of the University of Michigan, governed and sustained as such; said Homeopathic branch of the University to be organized in good faith, before the special appropriation, (1-20 mill tax) is paid.

Your memorialists are informed that a bill has been introduced in your Honorable body, to repeal the proviso passed by the Legislature of 1867. We most respectfully remonstrate against such repeal, because the Board of Regents allowed the law of 1855 to remain a dead letter, and did nothing looking towards a regard for its provisions, until the proviso of 1867 was passed; further, because the patrons of homeopathy include a majority of the tax-paying part of our population, and it would be manifestly unjust to make them pay a special tax for the benefit of the University, if the Regents are to exclude homeopathy, as heretofore.

Finally, your memorialists respectfully state that none of the benefits which were intended to be conferred upon homeopaths by previous legislation, have been received, and we now ask that our rights, so persistently ignored for so long a period, be now secured to us by your Honorable body, and we will ever pray, &c.

E. H. DRAKE, M. D.,

E. R. ELLIS, M. D.,

W. R. GORTON, M. D.,

EVERETT W. FINE, M. D., *Secretary.*

*Committee.*

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary;

The committee on the judiciary, to whom was referred

A bill to amend section 2, chapter 42, of compiled laws, relative to disorderly persons;

Also,

A bill to amend section 5654 of the compiled laws, in relation to fees of jurors in justices' courts and in special cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to authorize secretaries and directors of mutual fire insurance companies to administer oaths and take testimony in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize secretaries, or either of the directors of fire, marine or life insurance companies, to administer oaths and take testimony in certain cases;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

N. S. BOYNTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of the board of supervisors of Oakland county, relative to laying out public highways,

Respectfully report that they have had the same under consideration, and have directed me to report adversely to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

CHARLES SHIER, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill to legalize the tax rolls of the township of Adams, in the county of Houghton, for the year eighteen hundred and sixty-seven and eighteen hundred and sixty-eight;

Also,

A bill to extend the time for the collection of taxes in the city of Flint, in the county of Genesee;

Also,

A bill to extend the time for the collection of taxes, for the year eighteen hundred and sixty-eight, in the township of Albion, in the county of Calhoun;

Also,

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year eighteen hundred and sixty-eight;

Also,

A bill to amend section one, of chapter ninety-seven, of the revised statutes of eighteen hundred and forty-six, being sec-

tion four thousand one hundred and seven of the compiled laws, relative to testing process from courts of record.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 6, entitled

A bill to amend sections 7 and 10 of an act entitled "An act to incorporate the village of Newaygo," approved March 16, 1867, and to add a new section thereto, to stand as section 34,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 14, entitled

A bill to amend act No. 290, of the session laws of 1867, entitled "An act to incorporate the village of St. Johns,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section seven of "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865, being act No. 356, of that year,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Ovid;

Also: the petition of Harry Marvin, J. O. Hathaway, Samuel Cross and 76 others, asking for the passage of said bill;

Also: the remonstrance of Charles Farmer, H. C. Barber, A. D. Jenks and 76 others, against the passage of said bill, in the form by which it enlarged the present boundaries of said village,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Vowles,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition and remonstrance were laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the township of North Olimax, in the county of Benzie, to Inland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ISAAC D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The rules were suspended, and the bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 22, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved, By the Senate, (the House concurring) That when the respective Houses adjourn on Friday, the 29th instant, they shall stand adjourned until Tuesday, the 9th day of February next, at 10 o'clock A. M.;*

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. G. G. Briggs,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 22, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit to the House the following bills:

1. Senate bill No. 19, entitled

A bill to require all State boards to make annual reports;

2. Senate bill No. 20, entitled

A bill to amend sections 1, 2 and 12, of act No. 119, of the session laws of 1867, approved March 27, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### NOTICES.

Mr. Vowles gave notice that on some future day he would ask leave to introduce

A bill to incorporate the Wayne and Pontiac railroad company.

Mr. Sheldon gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Alanson Holbrook.

#### INTRODUCTION OF BILLS.

Mr. F. G. Kendrick, previous notice having been given, and leave being granted, introduced

A bill to allow the society known as the "Pocahontas Tribe No. 1, improved order of Red Men of the city of Detroit," to alter and amend its articles of association.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr Lovell, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Augusta, in the county of Kalamazoo.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 181 of the compiled laws, by adding thereto section 53.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, unanimous consent being given, introduced

Joint resolution asking Senators and Representatives in Congress, from Michigan, to urge the speedy erection of a light house at the mouth of the Manistee river, in the county of Manistee.

The joint resolution was read a first and second time by its title, and referred to the committee on harbors.

#### THIRD READING OF BILLS.

House joint resolution No. 8, entitled

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagon river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hartson,    | Mr. Purcell, |
| Beall,        | Holt,           | Riopelle,    |
| Blake,        | Hunt,           | Sanford,     |
| Bostwick,     | Hurlbut,        | Sheldon,     |
| Boynnton,     | Huston,         | Slayton,     |
| G. G. Briggs, | Hutchinson,     | Snell,       |
| R. V. Briggs, | F. G. Kendrick, | Stannard,    |
| Cameron,      | Kingsley,       | Stewart,     |
| B. Clark,     | Klein,          | Stockbridge, |
| O. Clark,     | Lane,           | Ternes,      |
| Cogshall,     | Lee,            | Vowles,      |



|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | Lovell,     | Walton,         |
| Crossman, | Mandigo,    | Weier,          |
| Davis,    | Mason,      | Wendell,        |
| Dusseau,  | McCowen,    | Westover,       |
| Eck,      | McKernan,   | Wilcox,         |
| Elliott,  | Miles,      | H. G. Williams, |
| Fancher,  | Miller,     | J. A. Williams, |
| Fenner,   | Millington, | W. D. Williams, |
| Fuller,   | Mitchell,   | Woodard,        |
| Gay,      | Norton,     | Yawkey,         |
| Grant,    | Osborn,     | Speaker, 66     |

## NAYS.

Mr. Mead, Mr. Plimpton, Mr. Putnam, 3

Title and preamble agreed to.

House bill No. 20, entitled

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee county,

Was read a third time,

And, pending the taking of the vote on the passage thereof,

Mr. McKernan moved to amend line two, of section one, by inserting the words "town of Marinette," before the word "the," where it occurs the second time in said line;

Which was agreed to.

Mr. Hurlbut moved to further amend by adding to section 3 the words: "*Provided*, No money shall be appropriated or liability incurred by the county of Menominee, unless the town of Marinette, in said county of Oconto, shall appropriate a like amount for the same purpose;"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Purcell, |
| Beall,        | Hurlbut,        | Sanford,     |
| Blake,        | Huston,         | Sheldon,     |
| Bostwick,     | Hutchinson,     | Shier,       |
| Boynton,      | F. G. Kendrick, | Slayton,     |
| G. G. Briggs, | Kingale,        | Snell,       |
| R. V. Briggs, | Klein,          | Stannard,    |
| Cameron,      | Lane,           | Stewart,     |

|           |             |                 |
|-----------|-------------|-----------------|
| B. Clark, | Lee,        | Stockbridge,    |
| O. Clark, | Lovell,     | Ternes,         |
| Cogshall, | Mandigo,    | Vowles,         |
| Crane,    | Mason,      | Walton,         |
| Crossman, | McKernan,   | Weier,          |
| Davis,    | Mead,       | Wendell,        |
| Eck,      | Miles,      | Westover,       |
| Fancher,  | Miller,     | Wilcox,         |
| Fenner,   | Millington, | H. G. Williams, |
| Gay,      | Mitchell,   | W. D. Williams, |
| Grant,    | Norton,     | Woodard,        |
| Hartson,  | Osborn,     | Speaker,        |
| Holt,     |             |                 |

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## NAYS.

|              |              |                   |
|--------------|--------------|-------------------|
| Mr. Elliott, | Mr. McCowen, | Mr. Putnam,       |
| Fuller,      | Plimpton,    | J. A. Williams, 6 |

Title agreed to.

House manuscript bill, entitled

A bill to change the name of the township of North Climax,  
in Benzie county, to Inland,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Holt,       | Mr. Putnam,     |
| Beall,        | Hunt,           | Riopelle,       |
| Blake,        | Hurlbut,        | Sanford,        |
| Bostwick,     | Huston,         | Sheldon,        |
| Boynton,      | Hutchinson,     | Shier,          |
| G. G. Briggs, | F. G. Kendrick, | Slayton,        |
| R. V. Briggs, | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Walton,         |
| Davis,        | McKernan,       | Weier,          |
| Dusseau,      | Mead,           | Wendell,        |
| Eck,          | Miles,          | Westover,       |
| Elliott,      | Miller,         | Wilcox,         |
| Fancher,      | Millington,     | H. G. Williams, |
| Fenner,       | Mitchell,       | J. A. Williams, |
| Fuller,       | Norton,         | W. D. Williams, |

Gay,  
Grant,  
Hartson,

Osborn,  
Plimpton,  
Purcell,

Woodard,  
Speaker,

68

NAYS.

0

Title agreed to.

On motion of Mr. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Boynton offered the following:

*Resolved*, That hereafter, the circulation of petitions in behalf of certain individuals, looking for fat offices, shall be prohibited during the sessions of this body. It not only diverts the attention of members from their legislative duties, producing confusion, but is a great nuisance;

Which was adopted.

Mr. Crossman offered the following:

*Resolved*, That the committee on rules and joint rules be requested to report to this House, as soon as practicable, any modifications or amendments that may be necessary or desirable to the present rules of the House, in order that the same, if adopted, may be incorporated in the new Manual;

Which was adopted.

#### UNFINISHED BUSINESS.

Being the consideration of the following:

*Resolved*, (the Senate concurring,) That the State Librarian be authorized and directed to purchase sixty-five copies of "Reid's Index to the Session Laws of Michigan," for the use of the members of the Legislature, (provided that the expense shall not exceed two dollars per copy,) the same to remain in the State Library for the use of future Legislatures;

Which was not adopted.

#### GENERAL ORDER.

On motion of Mr. Cameron,

The House went into committee of the whole, on the general order,

Mr. Crossman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

House joint resolution No. 5, entitled

Joint resolution proposing amendments to sections three and four, article four, section one, article seven, and section one, article seventeen, of the constitution of Michigan, in relation respectively to the apportionment of representatives, to the qualification of electors, and to militia;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

DANIEL L. CROSSMAN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Slayton,

The House took a recess until 2½ o'clock this afternoon.

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AFTERNOON SESSION.

2½ o'clock P. M.

The House was called to order by the Speaker.

Roll called: quorum present.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 23, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize the tax roll of the village of Holly, in the

county of Oakland, for the year 1868, and to extend the time for the collection of taxes spread thereon,

And to inform the House that the Senate has amended the same by inserting in line 5, of section 1, after the word "be," the word "as;" also by inserting in the same line, after the word "valid," the words "as though the same had been directed to the marshal instead of the treasurer of said village;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Cogshall moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Riopelle,   |
| Beall,        | Hurlbut,        | Sanford,        |
| Bostwick,     | Huston,         | Sheldon,        |
| Boynton,      | Hutchinson,     | Shier,          |
| G. G. Briggs, | F. G. Kendrick, | Slayton,        |
| R. V. Briggs, | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McKernan,       | Weier,          |
| Davis,        | Mead,           | Wendell,        |
| Dussau,       | Miles,          | Westover,       |
| Elliott,      | Miller,         | Wilcox,         |
| Fenner,       | Mitchell,       | H. G. Williams, |
| Fuller,       | Norton,         | J. A. Williams, |
| Gay,          | Osborn,         | W. D. Williams, |
| Grant,        | Plimpton,       | Woodard,        |
| Hartson,      | Purcell,        | Yawkey,         |
| Holt,         | Putnam,         | Speaker,        |

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NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize the assessment roll for the township of Holly, in the county of Oakland, and to extend the time for the collection of taxes therein,

And to inform the House that the Senate has amended the same by inserting after the word "legal," in section 1, the words "as though the school tax for school district No. 6, of said township, had been properly certified to the supervisor;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Cogshall moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery     | Mr. Hunt,       | Mr. Sanford, |
| Beall,        | Hurlbut,        | Sheldon,     |
| Bostwick,     | Huston,         | Shier,       |
| Boynton,      | Hutchinson,     | Slayton,     |
| G. G. Briggs, | F. G. Kendrick, | Snell,       |
| R. V. Briggs, | Kingsley,       | Stannard,    |
| Cameron,      | Klein,          | Stewart,     |
| B. Clark,     | Lane,           | Stockbridge, |
| O. Clark,     | Lee,            | Tarnes,      |
| Cogshall,     | Lovell,         | Vowles,      |
| Crane,        | Mason,          | Walton,      |

|           |           |                 |    |
|-----------|-----------|-----------------|----|
| Crossman, | McKernan, | Ward,           |    |
| Davis,    | Mead,     | Weier,          |    |
| Dusseau,  | Miles,    | Wendell,        |    |
| Elliott,  | Miller    | Westover,       |    |
| Fancher,  | Mitchell, | Wilcox,         |    |
| Fenner,   | Norton,   | H. G. Williams, |    |
| Fuller,   | Osborn,   | J. A. Williams, |    |
| Gay,      | Plimpton, | W. D. Williams, |    |
| Grant,    | Purcell,  | Woodard,        |    |
| Hartson,  | Putnam,   | Yawkey,         |    |
| Holt,     | Riopelle, | Speaker,        | 66 |
|           | NAYS.     |                 | 0  |

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

#### GENERAL ORDER.

On motion of Mr. Wilcox,

The House went into committee of the whole, on the general order,

Mr. Crossman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

House joint resolution No. 5, entitled

Joint resolution proposing amendments to sections 3 and 4, article 4, section 1, article 7, and section 1, article 17, of the constitution of Michigan, in relation respectively to the apportionment of Representatives, to the qualification of electors, and to the militia;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills:

1. House bill No. 24, entitled

A bill relating to interest upon installments falling due upon written contracts;

2. House bill No. 26, entitled

A bill to change the name of the village of Centerville, in the county of Tuscola, to that of Caro;

3. House bill No. 28, entitled

A bill to change the name of Charles Moseley to Charles M. Fuller;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

4. House bill No. 29, entitled

A bill to consolidate the townships of China and East China, in the county of St. Clair, and to organize therefrom the townships of Carleton and China;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

DANIEL L. CROSSMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendments made to the joint resolution and the fourth named bill, and the joint resolution and several bills were placed on the order of third reading.

On motion of Mr. Plimpton,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, January 25, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Taylor.

Roll called: quorum present.

Absent without leave: Messrs. Beall and Blake.

Mr. Avery asked and obtained leave of absence for Mr. Beall, until to-morrow morning.



Mr. Norton asked and obtained leave of absence for Mr. Blake, until to-morrow morning.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 25, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed Henry N. Lawrence, of Branch, Assistant Engrossing and Enrolling Clerk, pursuant to a resolution of the House.

E. A. THOMPSON,

*Engrossing and Enrolling Clerk.*

The assistant Engrossing and Enrolling Clerk then subscribed to the constitutional oath, and entered upon the discharge of his duties.

#### PRESENTATION OF PETITIONS.

By Mr. Eaton: petition of J. Eastman Johnson and 34 others, citizens of Centerville, county of St. Joseph, praying for the passage of a law authorizing the cities, towns and counties along the line of the "Michigan Air line Railroad," to vote aid to said road, said aid to be granted when the said road shall have its track graded and iron down, so that trains may run over the road through the municipality granting aid, said aid not to exceed 10 per cent. of the assessed valuation of said municipalities.

Referred to the committee on internal improvements.

#### REPORTS OF STANDING COMMITTEES.

By the committee on harbors:

The committee on harbors, to whom was referred

Joint resolution asking Senators and Representatives in Congress to urge the speedy erection of a light house at the port of Manistee, in the county of Manistee,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

H. A. NORTON, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to amend an act entitled an act to prevent fishing with seines, and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Calhoun and Macomb, approved March 9th, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of Saugatuck,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dusseau,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of H. D. Condit, D. S. Wilkinson and 46 others, citizens of Adrian, Lenawee county, asking for the repeal of a portion of the act of March 13, 1861, incorporating the public schools of the city of Adrian;

Also: the petition of N. S. Wheeler and 18 others, for the same purpose;

Also: Wm. Young and 17 others;

Also: petition of W. Harwood and 41 others, for the same purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommend that the matter be referred to the committee on education, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The recommendation of the committee was concurred in, and the petitions were referred to the committee on education.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to legalize the tax roll in the village of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of the taxes spread thereon;

Also,

A bill to legalize the assessment roll for the township of Holly, in the county of Oakland, and to extend the time for the collection of taxes therein.

EDWARD M. MASON, *Chairman.*

Report accepted.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of John M. Fallas and Edwin Fallas, for the appointment of commissioners to lay out a State road from Lowell, in Kent county, to Smyrna, in Ionia county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to provide for laying out and establishing a State road from Lowell, in Kent county, to Smyrna, in Ionia county;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

CHARLES SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 23, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 22, entitled

A bill to authorize the water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water works of said city;

2. Senate bill No. 23, entitled

A bill to legalize the election of trustees in the village of St. Johns, for the year 1868;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 23, 1869.*

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 9, entitled

A bill to provide for the registration of electors in new townships;

2. House bill No. 7, entitled

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of taxes therein;

3. House bill No. 10, entitled

A bill to extend the time for the collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne;

4. House bill No. 18, entitled

A bill to extend the time for the collection of taxes in the city of Wyandotte, and the township of Ecorse, Wayne county, for the year 1868;

5. House bill No. 19, entitled

A bill to extend the time for the collection of taxes in the townships of Brownstown, Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 25, entitled

A bill to amend section 65, of chapter 58, of revised statutes of 1846, entitled "of primary schools," being section 2308 of the compiled laws;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on education.

#### NOTICES.

Mr. Brownell gave notice that on some future day he would ask leave to introduce

A bill to amend section 38, of act No. 32, of session laws of 1858.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road from the village of Ishpening, in township of Ishpening, to the New England iron mines, in said township.

Mr. Hurlbut gave notice that on some future day he would ask leave to introduce

Joint resolution to amend section 7, of article 15, of the constitution, relative to the liabilities of stockholders of joint stock associations.

#### INTRODUCTION OF BILLS.

Mr. Fenner, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Sanilac, in the county of Sanilac.

The bill was read a first and second time by its title, and,  
On motion of Mr. Hurlbut,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Huston, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Almer, in the county of Tuscola, for the year 1868.

The bill was read a first and second time by its title, and,  
On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the order of third reading.

#### THIRD READING OF BILLS.

House joint resolution No. 5, entitled

Joint resolution proposing amendments to sections three and four, article four, section one, article seven, and section one, article seventeen, of the constitution of Michigan, in relation respectively to the apportionment of representatives, to the qualification of electors, and to the militia,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Mead,

The joint resolution was laid on the table.

House bill No. 24, entitled

A bill relating to interest upon installments falling due upon written contracts,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. W. D. Williams moved to amend by striking out in line 4, the words "same rate as," and inserting "legal rate of interest" in lieu thereof.

Mr. Slayton moved as a substitute for the amendment, to insert after the word "contract," in the fifth line, the words "not exceeding ten per centum per annum;"

Which was accepted.

Mr. Klein moved to lay the amendment on the table;

Which motion did not prevail.

Mr. Hurlbut moved to amend the bill by striking out in lines 4 and 5, the words "at the same rate as specified in any such note, bond or mortgage, or other written contract, and if no rate of interest be specified in such instrument;"

Pending which,

On motion of Mr. Holt,

The bill was recommitted to the committee on the judiciary.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

House bill No. 26, entitled

A bill to change the name of the village of Centerville, in the county of Tuscola, to that of Caro,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |               |
|---------------|-----------------|---------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Riopelle, |
| Bostwick,     | Hurlbut,        | Sanford,      |
| Boynton,      | Huston,         | Sheldon,      |
| G. G. Briggs, | Hutchinson,     | Shier,        |
| R. V. Briggs, | F. G. Kendrick, | Slayton,      |
| Brownell,     | Kingsley,       | F. L. Smith,  |
| Cameron,      | Klein,          | Snell,        |
| B. Clark,     | Lee,            | Stannard,     |
| O. Clark,     | Lovell,         | Stewart,      |
| Cogshall,     | Mandigo,        | Stockbridge,  |
| Crane,        | Mason,          | Ternes,       |
| Davis,        | McCowen,        | Vowles,       |



|          |             |                 |
|----------|-------------|-----------------|
| Dusseau, | McKernan,   | Walton,         |
| Eaton,   | Mead,       | Weier,          |
| Eck,     | Miles,      | Wendell,        |
| Elliott, | Miller,     | Wilcox,         |
| Fancher, | Millington, | H. G. Williams, |
| Fenner,  | Mitchell,   | J. A. Williams, |
| Fuller,  | Osborn,     | W. D. Williams, |
| Gay,     | Plimpton,   | Woodard,        |
| Grant,   | Purcell,    | Speaker,        |
| Hartson, | Putnam,     | 65              |
|          | NAYS.       | 0               |

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 28, entitled

A bill to change the name of Charles Moseley to Charles M. Fuller,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Riopelle,   |
| Bostwick,     | Hurlbut,        | Sanford,        |
| Boynston,     | Huston,         | Sheldon,        |
| G. G. Briggs, | Hutchinson,     | Shier,          |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Brownell,     | Kingsley,       | F. L. Smith,    |
| Cameron,      | Klein,          | Snell,          |
| B. Clark,     | Lee,            | Stannard,       |
| O. Clark,     | Lovell,         | Stewart,        |
| Cogshall,     | Mandigo,        | Stockbridge,    |
| Crane,        | Mason,          | Ternes,         |
| Davis,        | McCowen,        | Vowles,         |
| Dusseau,      | McKernan,       | Walton,         |
| Eaton,        | Mead,           | Weier,          |
| Eck,          | Miles,          | Wendell,        |
| Elliott,      | Miller,         | Wilcox,         |
| Fancher,      | Millington,     | H. G. Williams, |
| Fenner,       | Mitchell,       | J. A. Williams, |
| Fuller,       | Osborn,         | W. D. Williams, |
| Gay,          | Plimpton,       | Woodard,        |
| Grant,        | Purcell,        | Speaker,        |
| Hartson,      | Putnam,         | 65              |

## NAYS.

0

Mr. Sanford moved to amend the title by striking out "M.," and inserting "Moseley" in lieu thereof;

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 29, entitled

A bill to consolidate the townships of China and East China, in the county of St. Clair, and to organize therefrom the townships of Carleton and China,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Riopelle,   |
| Bostwick,     | Hurlbut,        | Sanford,        |
| Boynton,      | Huston,         | Sheldon,        |
| G. G. Briggs, | Hutchinson,     | Shier,          |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Brownell,     | Kingsley,       | F. L. Smith,    |
| Cameron,      | Klein,          | Snell,          |
| B. Clark,     | Lane,           | Stannard,       |
| O. Clark,     | Lee,            | Stewart,        |
| Cogshall,     | Lovell,         | Stockbridge,    |
| Crane,        | Mandigo,        | Ternes,         |
| Davis,        | Mason,          | Vowles,         |
| Dusseau,      | McCowen,        | Walton,         |
| Eaton,        | McKernan,       | Ward,           |
| Eck,          | Mead,           | Weier,          |
| Elliott,      | Miles,          | Wendell,        |
| Fancher,      | Miller,         | Wilcox,         |
| Fenner,       | Millington,     | H. G. Williams, |
| Fuller,       | Mitchell,       | J. A. Williams, |
| Gay,          | Osborn,         | W. D. Williams, |
| Grant,        | Plimpton,       | Woodard,        |
| Hartson,      | Parcell,        | Speaker,        |
| Holt,         | Putnam,         |                 |

## NAYS.

0

Title agreed to.

On motion of Mr. Boynton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Huston,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Sanilac, county of Sanilac,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Putnam,     |
| Bostwick,     | Hurlbut,        | Sanford,        |
| Boynton,      | Huston,         | Sheldon,        |
| G. G. Briggs, | Hutchinson,     | Shier,          |
| R. V. Briggs, | Ingersoll,      | Slayton,        |
| Brownell,     | F. G. Kendrick, | F. L. Smith,    |
| Cameron,      | Kingsley,       | Snell,          |
| B. Clark,     | Klein,          | Stannard,       |
| O. Clark,     | Lane,           | Stewart,        |
| Cogshall,     | Lee,            | Stockbridge,    |
| Crane,        | Lovell,         | Ternes,         |
| Davis,        | Mandigo,        | Vowles,         |
| Dusseau,      | Mason,          | Walton,         |
| Eaton,        | McCowen,        | Ward,           |
| Eck,          | McKernan,       | Weier,          |
| Elliott,      | Mead,           | Wendell,        |
| Fancher,      | Miles,          | Wilcox,         |
| Fenner,       | Miller,         | H. G. Williams, |
| Fuller,       | Millington,     | J. A. Williams, |
| Gay,          | Mitchell,       | W. D. Williams, |
| Grant,        | Osborn,         | Woodard,        |
| Hartson,      | Plimpton,       | Speaker,        |
| Holt,         | Purcell,        |                 |

68

NAYS.

0

Mr. Fenner moved to amend the title by adding the words "eighteen hundred and sixty eight;"

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. Cogshall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled,

A bill to extend the time for the collection of taxes in the township of Almer, in the county of Tuscola, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Putnam,     |
| Bostwick,     | Hurlbut,        | Riopelle,       |
| Boynton,      | Huston,         | Sanford         |
| G. G. Briggs, | Hutchinson,     | Sheldon,        |
| R. V. Briggs, | Ingersoll,      | Shier,          |
| Brownell,     | F. G. Kendrick, | Slayton,        |
| Cameron,      | Kingsley,       | F. L. Smith,    |
| B. Clark,     | Klein,          | Snell,          |
| O. Clark,     | Lane,           | Stannard,       |
| Cogshall,     | Lee,            | Stewart,        |
| Crane,        | Lovell,         | Stockbridge,    |
| Davis,        | Mandigo,        | Ternes,         |
| Dussean,      | Mason,          | Vowles,         |
| Eaton,        | McCowen,        | Walton,         |
| Eck,          | McKernan,       | Ward,           |
| Elliott,      | Mead,           | Weier,          |
| Fancher,      | Miles,          | Wendell,        |
| Fenner,       | Miller,         | Wilcox,         |
| Fuller,       | Millington,     | H. G. Williams, |
| Gay,          | Mitchell,       | J. A. Williams, |
| Grant,        | Osborn,         | W. D. Williams, |
| Hartson,      | Plimpton,       | Woodard,        |
| Holt,         | Purcell,        | Speaker, 69     |
|               | NAYS.           | 0               |

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Miles offered the following:

*Resolved*, That the committee on public lands be and they are hereby requested to confer with the Commissioner of the

State Land Office, and ascertain if some means may not be adopted by which patents of all lands granted by the U. S. Government in aid of railroads in this State, may be obtained to this State, and said lands put into market and sold, the proceeds thereof to be held in trust by the State for the benefit of the railroads to which such lands may properly belong, and that said committee report to this House, by bill or otherwise.

Mr. McKernan moved to amend by making the committee on public lands and internal improvements a joint committee on the subject proposed;

Which was accepted.

The resolution, as amended, was then adopted.

Mr. G. G. Briggs offered the following:

*Resolved*, That the use of the Hall of the House of Representatives be allowed to Mrs. James H. Phillips, of Detroit, on Wednesday evening, Feb. 10, for the purpose of giving dramatic readings in aid of the "Michigan Soldiers' and Sailors' Monument Association;"

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. Brownell,

The House went into committee of the whole, on the general order,

Mr. Miles in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 30, entitled

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

C. MILES, *Chairman*.

Report accepted and committee discharged.

The bill was placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House took a recess until 2½ o'clock this afternoon.

—  
AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Ingersoll,

The House went into committee of the whole, on the general order,

Mr. Miles in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 31, entitled

A bill to provide for the construction and management of water works in the village of Marquette;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills:

2. House bill No. 32, entitled

A bill to provide for the incorporation of the "Father Matthew Total Abstinence Benevolence Societies;"

3. House bill No. 33, entitled

A bill to aid in the completion of a bridge across Cass river, near Cass City, Tuscola county;

4. House bill No. 34, entitled

A bill to enable the Jackson, Lansing and Saginaw railroad company to change the northern terminus of its railroad to

some point on Lake Superior, without prejudice to its rights;

5. House bill No. 37, entitled

A bill to authorize "The Kalamazoo Town Agricultural Society for Improving the Breed of Horses," to sell and dispose of its real estate;

6. House bill No. 38, entitled

A bill granting the right of way through lands owned by the State, for a railroad in Menominee county;

7. House bill No. 40, entitled

A bill to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 6, entitled

Joint resolution for the relief of Theron Ford;

Have directed their chairmain to report the same back to the House, with the recommendation that it be recommitted to the committee on public lands.

C. MILES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Huston,

The amendments made to the first named bill by the committee were concurred in, and the several bills were placed on the order of third reading.

The joint resolution was referred to the committee on public lands.

On motion of Mr. Ingersoll,

The House took up the order of

#### THIRD READING OF BILLS.

House bill No. 30, entitled

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hubbard,    | Mr. Purcell,    |
| Blake,        | Hurlbut,        | Sheldon,        |
| Bostwick,     | Huston,         | Shier,          |
| G. G. Briggs, | Hutchinson,     | Slayton,        |
| R. V. Briggs, | Ingersoll,      | Snell,          |
| Cameron,      | F. G. Kendrick, | Stewart,        |
| B. Clark,     | Klein,          | Stockbridge,    |
| O. Clark,     | Lane,           | Ternes,         |
| Crane,        | Lee,            | Vowles,         |
| Davis,        | Lovell,         | Walton,         |
| Dusseau,      | Mason,          | Ward,           |
| Eaton,        | McCowan,        | Weier,          |
| Eck,          | McKernan,       | Wilcox,         |
| Fancher,      | Mead,           | H. G. Williams, |
| Fenner,       | Miles,          | W. D. Williams, |
| Fuller,       | Miller,         | Woodard,        |
| Gay,          | Mitchell,       | Yawkey,         |
| Grant,        | Osborn,         | Speaker,        |
| Holt,         | Plimpton,       |                 |

56

## NAYS.

Mr. Mandigo, Mr. Wendell, Mr. J. A. Williams, 3  
Title agreed to.

Mr. Lane moved that the bill be ordered to take immediate effect;

Pending which,

Mr. Plimpton moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and Messrs. Hunt, Norton, Sickels and Westover were reported absent without leave.

Mr. Yawkey asked and obtained leave of absence for Mr. Westover, until to-morrow morning.

On motion of Mr. Huston,

All further proceedings under the call were dispensed with.

On motion of Mr. Ward,

The House adjourned until to-morrow morning at 10 o'clock.



*Lansing, Tuesday, January 26, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Huston: petition of H. C. Marvin and 51 others, citizens of Tuscola county, asking for the amendment of the law establishing the Cass river and Bay City State road.

Referred to the committee on public lands.

By Mr. Huston: petition of James Wright and 75 others, citizens of Tuscola county, asking for an appropriation of swamp land to aid in the construction of a road from Bay City to Lapeer.

Referred to the committee on public lands.

By Mr. Curry: petition of C. L. Cole, Henry James, and 100 others, asking an appropriation of two sections of swamp land, and to enable the commissioners of the Clio and Chesaning State road to complete the same.

Referred to the committee on public lands.

By Mr. Curry: petition of F. Walker and 185 others, asking for the repeal of the law of 1867, increasing the tolls on the Saginaw and Genesee plank road, so far as the same is applied to Genesee county.

Referred to the committee on banks and incorporations.

By Mr. Mitchell: petition of Minor Kellogg, John Dean and 38 others, citizens of Leelanaw and Grand Traverse counties, asking for an amendment to section 2, act 162, volume 1, of the session laws of 1867, in reference to the imprisonment of parties in civil suits.

Referred to the committee on the judiciary.

By Mr. Mitchell: petition of Minor Kellogg, John Dean, E. Pratt and 37 others, citizens of Leelanaw and Grand Traverse counties, asking for an amendment to the exemption laws of this State, so as to include the within mentioned property.

Referred to the committee on ways and means.

By Mr. Walton; petition of James Berry, N. N. Foote, D. Benedict, W. H. Cleveland and 136 others, citizens of the city of Adrian, asking for the extension of the limits of said city one-half mile on each side thereof.

Referred to the committee on banks and incorporations.

By Mr. Walton; remonstrance of E. F. Townsend and 9 others, citizens of Lenawee county, against the enlargement of the boundaries of the city of Adrian;

Also: remonstrance of R. Kent and 87 others, against the same.

Referred to the committee on banks and incorporations.

By Mr. Purcell: petition of the collectors of taxes of the city of Detroit, to extend the time for the collection of taxes in the several wards of said city for the year 1868.

Referred to the committee on local taxation.

By Mr. Walton: remonstrance of James Berry, Thomas Warren and 141 others, citizens of the city of Adrian, against any division of the union school district of the city of Adrian.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of L. Jud. Macomber, asking the passage of an act legalizing the sale of certain primary school lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution confirming the sale of certain primary school lands, and authorizing a patent to be issued for the same to L. Jud Macomber;

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its

title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted House bill No. 24, entitled

A bill relating to interest on installments falling due upon written contracts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |               |               |
|---------------|---------------|---------------|
| Mr. Ashley,   | Mr. Goodrich, | Mr. Rowleson, |
| Avery,        | Grant,        | Seward,       |
| Barnaby,      | Harris,       | Shaw,         |
| Baxter,       | Hartson,      | Sheldon,      |
| Beall,        | Horton,       | Shier,        |
| Blake,        | Hubbard,      | Sickels,      |
| Bostwick,     | Hunt,         | Slayton,      |
| Boynnton,     | Hurlbut,      | R. B. Smith,  |
| G. G. Briggs, | Huston,       | Snell,        |
| Brownell,     | Hutchinson,   | Stannard,     |
| Cameron,      | Ingersoll,    | Stockbridge,  |
| B. Clark,     | Kingsley,     | Thompson,     |
| O. Clark,     | Lane,         | Vowles,       |
| Cogahall,     | Mandigo,      | Wagner,       |
| Crane,        | McCowen,      | Walker,       |
| Crossman,     | McKernan,     | Walton,       |

Curry,  
Davis,  
Eaton,  
Eck,  
Elliott,  
Fancher,  
Fuller,  
Gay,  
Gifford,

Mead,  
Miller,  
Mitchell,  
Osborn,  
Plimpton,  
Putnam,  
Riopelle,  
Romeyn,

Ward,  
Weier,  
Wendell,  
Westover,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

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## NAYS.

Mr. R. V. Briggs,  
Holt,  
F. G. Kendrick,  
Klein,  
Lee,  
Lovell,

Mr. Mason,  
Miles,  
Millington,  
Purcell,  
Sanford,  
F. L. Smith,

Mr. Stewart,  
Tarnes,  
Wilcox,  
J. A. Williams,  
Woodard,

17

Title agreed to.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 10, entitled

A bill to amend section 5646, of the compiled laws, being section ten, of chapter one hundred and fifty, of the revised statutes of 1846, relative to the fees of witnesses,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of William A. Bullock to William Deits,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Matey Spalding to Matey Dakin,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ingersoll,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 19, entitled

A bill to require all State boards to make annual reports,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 30 of chapter 10, of the compiled laws, in relation to the compensation of members of boards of supervisors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize and encourage the formation of corporations to establish rural cemeteries, and to provide for the care and maintenance thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred a petition of A. P. Drake, president of the common council, and 43 others, requesting certain lands now included in the incorporation of the village of Hastings, to be taken therefrom,

Also,

A bill to amend sections 1, 7 and 26, of an act entitled "An act to amend an act to incorporate the village of Hastings," approved March 22, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the preamble and resolutions of the board of supervisors of Tuscola county, asking that the Legislature pass some law by which tax titles be made more valid,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The recommendation of the committee was concurred in, and the joint resolution was referred to the committee on the judiciary.

By the committee on elections:

The committee on elections, to whom was referred the memorial of Philo Doty, asking the seat in this House occupied by Franklin L. Smith, report that they have had two sittings upon the case, at each of which the said Franklin L. Smith asked and obtained further time. That the testimony before your committee is abundant in quantity, claiming an unlimited amount of fraudulent votes, but that it is not of a character satisfactory to your committee as evidence; in view of which, and to remedy the same, your committee submit the following resolution:

*Resolved*, That the committee on elections are hereby authorized and empowered to send for such persons and papers as in their judgment shall be necessary, to a correct determination in the case of Philo Doty against Franklin L. Smith,

And recommend its adoption.

D. L. CROSSMAN, *Chairman*.

Report accepted.

The resolution was adopted.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Jan. 23, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to amend section 1, of chapter 97, of the revised statutes of 1846, being section 4107 of the compiled laws, relative to testing process from courts of record;

Also,

An act to extend the time for the collection of taxes in the city of Flint, in the county of Genesee;

Also,



An act to extend the time for the collection of taxes, for the year eighteen hundred and sixty-eight, in the township of Albion, in the county of Calhoun;

Also,

An act to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year eighteen hundred and sixty-eight.

HENRY P. BALDWIN.

The message was laid on the table.

NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the incorporation of lodges and encampments of the "Independent Order of Odd Fellows," approved March 15, 1865.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

A bill to amend section 4342, of the compiled laws of 1857, the same as amended by act No. 125, of the session laws of 1861, and being section 4 of said act.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to authorize the Young Men's Society of Saginaw, to change the name thereof.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 50, of the session laws of 1868, entitled an act to provide for drainage and reclamation of swamp lands, by means of a road to be known as the East Saginaw and Junction State road, approved Feb. 5, 1864, by adding a new section thereto.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill to amend section 8, of act No. 194, session laws of 1867, being an act entitled "an act to provide for the registration of births, marriages and deaths."

## INTRODUCTION OF BILLS.

Mr. Miller, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Lenox, in the county of Macomb, for the year 1868.

The bill was read a first and second time by its title, and

On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Lane, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Zilwaukee, in the county of Saginaw, for the year 1868.

The bill was read a first and second time by its title, and

On motion of Mr. Lane,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Ternes, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Grosse Point, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and:

On motion of Mr. Ternes,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Horton, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Fenton, for the year 1868.

The bill was read a first and second time by its title, and

On motion of Mr. Horton,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Snell, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes for the year 1868, in the township of Sebewaing, in the county of Huron.

The bill was read a first and second time by its title, and  
On motion of Mr. Snell,

The rules were suspended, and the bill was placed on the  
order of third reading.

Mr. Huston, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the  
township of Fair Grove, in the county of Tuscola, for the year  
1868.

The bill was read a first and second time by its title, and  
On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the  
order of third reading.

Mr. Gay, previous notice having been given, and leave being  
granted, introduced

A bill to amend an act entitled "an act to incorporate the  
village of Howell," and to add thereto one new section.

The bill was read a first and second time by its title, and  
referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave  
being granted, introduced

A bill to amend sections 1 and 2, act number 174, of the ses-  
sion laws of 1867, being an act supplementary to an act to au-  
thorize the formation of corporations for mining, smelting, or  
manufacturing iron, copper, mineral coal, silver or other ores  
or minerals, and for other manufacturing purposes," approved  
February 15, 1853.

The bill was read a first and second time by its title, and  
referred to the committee on mines and minerals.

Mr. Lane, previous notice having been given, and leave  
being granted, introduced

A bill to amend act 239, entitled an act to organize union  
school district number 1, of the township of Spaulding, in the  
county of Saginaw, also, to add a new section thereto.

The bill was read a first and second time by its title, and  
referred to the committee on education.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to authorize the village of South Saginaw to raise money, by tax, to build a station-house, or lock-up, for the use of said village.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Vowles, previous notice having been given, and leave being granted, introduced

A bill to incorporate the Wayne and Pontiac railroad company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Harris, previous notice having been given, and leave being granted, introduced

A bill to repeal an act entitled "An act to protect mechanics and other laborers in the quiet and peaceful pursuit of their avocations," being act No. 163, of the session laws of 1867, approved March 27, 1867.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to amend section 38, of act No. 32, of the session laws of 1858, in relation to the assessment and collection of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to amend section 124, of chapter 117, of compiled laws, in relation to the removal of causes from one justice of the peace to another.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Curry, previous notice having been given, and leave being granted, introduced

A bill to repeal act number 397, session laws of 1867, increas-

ing tolls on plank roads in the counties of Bay, Clinton, Gratiot and Saginaw.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Snell, unanimous consent being given, introduced

A bill to organize the township of Elk, in the county of Huron.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

### THIRD READING OF BILLS.

House bill No. 31, entitled

A bill to provide for the construction and management of water works in the village of Marquette,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Sanford,    |
| Avery,        | Horton,         | Seward          |
| Barnaby,      | Hubbard,        | Shaw,           |
| Baxter,       | Hunt,           | Sheldon,        |
| Beall,        | Hurlbut,        | Shier,          |
| Blake,        | Huston,         | Sickels,        |
| Bostwick,     | Hutchinson,     | Slayton,        |
| Boynnton,     | Ingersoll,      | F. L. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| R. V. Briggs, | Kingsley,       | Snell,          |
| Brownell,     | Klein,          | Stannard,       |
| Cameron,      | Lane,           | Stewart,        |
| B. Clark,     | Lee,            | Stockbridge,    |
| O. Clark,     | Lovell,         | Ternes,         |
| Cogshall,     | Mandigo,        | Thompson,       |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Eaton,        | Miles,          | Ward,           |
| Eck,          | Miller,         | Weier,          |
| Elliott,      | Millington,     | Wendell,        |
| Fancher,      | Mitchell,       | Westover,       |
| Fenner,       | Osborn,         | Wilcox,         |
| Fuller,       | Plimpton,       | H. G. Williams, |
| Gay,          | Purcell,        | J. A. Williams, |

Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,

Putnam,  
Riopelle,  
Romeyn,  
Rowlson,

W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

91

## NAYS.

0

Mr. Ingersoll moved to amend the title by adding after the word "Marquette," the words "in the county of Marquette;"

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. H. G. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 32, entitled

A bill to provide for the incorporation of the "Father Matthew Total Abstinence Benevolence Societies,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynnton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Eaton,  
Eck,  
Elliott,  
Fancher,

Mr. Hartson,  
Holt,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,

Mr. Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
F. L. Smith,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,

|           |           |                 |    |
|-----------|-----------|-----------------|----|
| Fenner,   | Osborn,   | Wilcox,         |    |
| Fuller,   | Plimpton, | H. G. Williams, |    |
| Gay,      | Purcell,  | J. A. Williams, |    |
| Gifford,  | Putnam,   | W. D. Williams, |    |
| Goodrich, | Riopelle, | Woodard,        |    |
| Grant,    | Romeyn,   | Yawkey,         |    |
| Harris,   | Rowlson,  | Speaker,        | 90 |
|           | NAYS.     |                 | 0  |

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 83, entitled

A bill to aid in the completion of a bridge across Cass river, near Cass city, Tuscola county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|             |            |                 |    |
|-------------|------------|-----------------|----|
| Mr. Ashley, | Mr. Holt,  | Mr. Sanford,    |    |
| Barnaby,    | Horton,    | Shaw,           |    |
| Baxter,     | Hubbard,   | Sickels,        |    |
| Beall,      | Hunt,      | R. B. Smith,    |    |
| Boynnton,   | Hurlbut,   | Snell,          |    |
| Brownell,   | Huston,    | Stannard,       |    |
| Cameron,    | Ingersoll, | Ternea,         |    |
| B. Clark,   | Kingsley,  | Vowles,         |    |
| Crossman,   | Lane,      | Wagner,         |    |
| Curry,      | Mason,     | Walton,         |    |
| Davis,      | McCowen,   | Wendell,        |    |
| Eaton,      | McKernan,  | Westover,       |    |
| Fancher,    | Mead,      | Wilcox,         |    |
| Fenner,     | Miles,     | H. G. Williams, |    |
| Fuller,     | Mitchell,  | W. D. Williams, |    |
| Gay,        | Plimpton,  | Yawkey,         |    |
| Grant,      | Purcell,   | Speaker,        |    |
| Hartson,    |            |                 | 52 |

#### NAYS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Avery,    | Mr. Hutchinson, | Mr. Seward,  |
| Blake,        | F. G. Kendrick, | Sheldon,     |
| Bostwick,     | Klein,          | Shier,       |
| G. G. Briggs, | Lee,            | Slayton,     |
| B. V. Briggs, | Lovell,         | F. L. Smith, |

O. Clark,  
Oggsball,  
Crane,  
Eck,  
Elliott,  
Gifford,  
Goodrich,  
Harris,

Mandigo,  
Miller,  
Millington,  
Osborn,  
Putnam,  
Riopelle,  
Romeyn,  
Rowlson,

Stewart,  
Stockbridge,  
Thompson,  
Walker,  
Weier,  
J. A. Williams,  
Woodard,

38

Title agreed to.

House bill No. 34, entitled

A bill to enable the Jackson, Lansing and Saginaw railroad company to change the northern terminus of its railroad to some point on Lake Superior, without prejudice to its rights,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Westover moved to amend the bill, by inserting in line 9, of section 1, after the word "same," the words "from Wenona;"

Which was agreed to.

Mr. Fancher moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,  
Baxter,  
Beall,  
Blake,  
B. Clark,  
O. Clark,  
Oggsball,  
Crane,  
Crossman,  
Curry,  
Eaton,  
Elliott,  
Fenner,  
Gifford,  
Gay,  
Goodrich,  
Grant,  
Harris,

Mr. Hartson,  
Horton,  
Hubbard,  
Hurlbut,  
Huston,  
Ingersoll,  
F. G. Kendrick,  
Lane,  
Lee,  
Mason,  
McKernan,  
Miller,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riopelle,  
Romeyn,

Mr. Rowlson,  
Sanford  
Seward,  
Sheldon,  
Sickels,  
R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Ternes,  
Thompson,  
Ward,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Yawkey,

54



## NAYS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,   | Mr. Shier,      |
| Avery,        | Hutchinson, | Slayton,        |
| Bostwick,     | Kingsley,   | F. L. Smith,    |
| Boynton,      | Klein,      | Stockbridge,    |
| G. G. Briggs, | Lovell,     | Vowles,         |
| R. V. Briggs, | Mandigo,    | Wagner,         |
| Cameron,      | McCowan,    | Walker,         |
| Davis,        | Mead,       | Walton,         |
| Eck,          | Miles,      | Weier,          |
| Fancher,      | Millington, | J. A. Williams, |
| Fuller,       | Mitchell,   | Woodard,        |
| Holt,         | Shaw,       | Speaker, 36     |

Title agreed too.

House bill No. 37, entitled

A bill to authorize "The Kalamazoo Town Agricultural Society for Improving the Breed of Horses," to sell and dispose of its real estate,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Cameron,

The bill was laid on the table.

House bill No. 88, entitled

A bill granting the right of way through lands owned by the State, for a railroad in Menominee county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Sanford, |
| Avery,        | Holt,           | Seward,      |
| Barnaby,      | Horton,         | Shaw,        |
| Baxter,       | Hubbard,        | Sheldon,     |
| Beall,        | Hunt,           | Shier,       |
| Blake,        | Haribut,        | Sickels,     |
| Bostwick,     | Huston,         | Slayton,     |
| Boynton,      | Hutchinson,     | F. L. Smith, |
| G. G. Briggs, | Ingersoll,      | R. B. Smith, |
| R. V. Briggs, | F. G. Kendrick, | Snell,       |
| Brownell,     | Kingsley,       | Stannard,    |
| Cameron,      | Klein,          | Stewart,     |
| B. Clarke,    | Lane,           | Stockbridge, |

|           |             |                 |
|-----------|-------------|-----------------|
| O. Clark, | Lee,        | Ternes,         |
| Cogahall, | Lovell,     | Thompson,       |
| Crane,    | Mason,      | Vowles,         |
| Crossman, | McCowen,    | Wagner,         |
| Curry,    | McKernan,   | Walker,         |
| Davis,    | Mead,       | Walton,         |
| Eaton,    | Miles,      | Ward,           |
| Eck,      | Miller,     | Weier,          |
| Elliott,  | Millington, | Wendell         |
| Fancher,  | Mitchell,   | Westover,       |
| Fenner,   | Osborn,     | Willcox,        |
| Fuller,   | Plimpton,   | H. G. Williams, |
| Gay,      | Purcell,    | J. A. Williams, |
| Gifford,  | Putnam,     | W. D. Williams, |
| Goodrich, | Riopelle,   | Woodard,        |
| Grant,    | Romeyn,     | Speaker,        |
| Harris,   | Rowlson,    | 89              |
|           | NAYS.       | 0               |

Title agreed to.

House bill No. 40, entitled

A bill to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Rowlson, |
| Avery,        | Holt,           | Sanford,     |
| Barnaby,      | Horton,         | Seward,      |
| Baxter,       | Hubbard,        | Shaw,        |
| Beall,        | Hunt,           | Sheldon,     |
| Blake,        | Hurlbut,        | Shier,       |
| Bostwick,     | Huston,         | Sickels,     |
| Boynton,      | Hutchinson,     | Slayton,     |
| G. G. Briggs, | Ingersoll,      | F. L. Smith, |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith, |
| Brownell,     | Kingsley,       | Snell,       |
| Cameron,      | Klein,          | Stannard,    |
| B. Clark,     | Lane,           | Stewart,     |
| O. Clark,     | Lee,            | Ternes,      |
| Cogahall,     | Lovell,         | Thompson,    |
| Crane,        | Mason,          | Vowles,      |
| Crossman,     | McCowen,        | Wagner,      |
| Curry,        | McKernan,       | Walker,      |

|           |             |                 |    |
|-----------|-------------|-----------------|----|
| Davis,    | Mead,       | Walton,         |    |
| Eaton,    | Miles,      | Ward,           |    |
| Elliott,  | Miller,     | Weier,          |    |
| Eck,      | Millington, | Wendell,        |    |
| Fancher,  | Mitchell,   | Westover,       |    |
| Fenner,   | Osborn,     | Wilcox,         |    |
| Fuller,   | Plimpton,   | H. G. Williams, |    |
| Gay,      | Purcell,    | J. A. Williams, |    |
| Gifford,  | Putnam,     | W. D. Williams, |    |
| Goodrich, | Riopelle,   | Woodard,        |    |
| Grant,    | Romeyn,     | Speaker,        | 88 |
| Harris,   |             |                 |    |
|           | NAYS.       |                 | 0  |

Title agreed to.

Mr. Crossman asked and obtained leave of absence for the committee on elections, for the remainder of the day.

On motion of Mr. Purcell,

The House took a recess until 2½ o'clock this afternoon.

#### AFTERNOON SESSION.

2½ o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, the Speaker announced the following:

LANSING, January 26, 1869.

The Board of Trustees of the Michigan Asylum for the Deaf and Dumb, and the Blind, in conjunction with the officers of the following railroad companies, viz: "The Jackson, Lansing and Saginaw," "The Flint and Pere Marquette," and "The Detroit and Milwaukee," cordially invite the members of the Senate and House of Representatives to take a trip, as follows: Leave Lansing in the morning; spend the day and night in Saginaw and vicinity; leave Saginaw next morning, and spend the day at the Asylum, at Flint, leaving Flint next morning for Lansing, via Holly and Owosso, over the Detroit and Milwaukee railway. The railroads would like three or four days' notice of the time.

The House resumed the regular order of

## THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to change the name of William A. Bullock, to William Deits,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Sheldon,    |
| Avery,        | Hunt,           | Shier,          |
| Barnaby,      | Hurlbut,        | Sickels,        |
| Baxter,       | Hutchinson,     | Slayton,        |
| Beall,        | Ingersoll,      | F. L. Smith,    |
| Bostwick,     | F. G. Kendrick, | R. B. Smith,    |
| Boynton,      | Kingsley,       | Snell,          |
| G. G. Briggs, | Klein,          | Stannard,       |
| R. V. Briggs, | Lane,           | Stewart,        |
| Brownell,     | Lee,            | Stockbridge,    |
| Cameron,      | Lovell,         | Swift,          |
| B. Clark,     | Mandigo,        | Ternes,         |
| O. Clark,     | Mason,          | Thompson,       |
| Crane,        | McCowan,        | Vowles,         |
| Curry,        | McKernan,       | Wagner,         |
| Davis,        | Mead,           | Walker,         |
| Eaton,        | Miles,          | Walton,         |
| Eck,          | Miller,         | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Osborn,         | Wendell,        |
| Fuller,       | Plimpton,       | Westover,       |
| Gay,          | Pureell,        | Wilcox,         |
| Gifford,      | Riopelle,       | H. G. Williams, |
| Goodrich,     | Rowlson,        | J. A. Williams, |
| Grant,        | Sanford,        | W. D. Williams, |
| Harris,       | Seward,         | Woodard,        |
| Hartson,      | Shaw,           | Speaker,        |
| Holt,         |                 |                 |

82

## NAYS.

0

Title agreed to.

On motion of Mr. F. L. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to change the name of Matey Spaulding to Matey Dakin,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Sheldon,    |
| Avery,        | Hubbard,        | Shier,          |
| Barnaby,      | Hunt,           | Sickels,        |
| Baxter,       | Hurlbut,        | F. L. Smith,    |
| Beall,        | Hutchinson,     | R. B. Smith,    |
| Bostwick,     | Ingersoll,      | Snell,          |
| Boynton,      | F. G. Kendrick, | Stannard,       |
| G. G. Briggs, | Kingalev,       | Stewart,        |
| R. V. Briggs, | Klein,          | Stockbridge,    |
| Brownell,     | Lane,           | Swift,          |
| Cameron,      | Lee,            | Ternes,         |
| B. Clark,     | Lovell,         | Thompson,       |
| O. Clark,     | Mandigo,        | Vowles,         |
| Crane,        | Mason,          | Wagner,         |
| Curry,        | McCowen,        | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Eaton,        | Miles,          | Ward,           |
| Eck,          | Miller,         | Weier,          |
| Elliott,      | Mitchell,       | Wendell,        |
| Fenner,       | Osborn,         | Westover,       |
| Fuller,       | Plimpton,       | Wilcox,         |
| Gay,          | Pureell,        | H. G. Williams, |
| Gifford,      | Riopelle,       | J. A. Williams, |
| Goodrich,     | Rowlson,        | W. D. Williams, |
| Grant,        | Sanford,        | Woodard,        |
| Harris,       | Seward,         | Yawkey,         |
| Hartson,      | Shaw,           | Speaker, 81     |

## NAYS.

0

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Mason,

The rule requiring the second and third reading of bills to be on different days was suspended, and the other bills on the order of third reading were put upon their passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Lenox, in the county of Macomb, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Shaw,       |
| Avery,        | Hubbard,        | Sheldon,        |
| Barnaby,      | Hunt,           | Shier,          |
| Beall,        | Hurlbut,        | Sickels,        |
| Blake,        | Huston,         | F. L. Smith,    |
| Bostwick,     | Hutchinson,     | R. B. Smith,    |
| Boynton,      | Ingersoll,      | Snell,          |
| G. G. Briggs, | F. G. Kendrick, | Stannard,       |
| R. V. Briggs, | Kingsley,       | Stewart,        |
| Brownell,     | Klein,          | Stockbridge,    |
| Cameron,      | Lane,           | Swift,          |
| B. Clark,     | Lee,            | Ternes,         |
| O. Clark,     | Lovell,         | Thompson,       |
| Crane,        | Mandigo,        | Vowles,         |
| Curry,        | Mason,          | Wagner,         |
| Davis,        | McCowan,        | Walker,         |
| Eaton,        | McKernan,       | Walton,         |
| Eck,          | Mead,           | Ward,           |
| Elliott,      | Miles,          | Weier,          |
| Fancher,      | Miller,         | Wendell,        |
| Fenner,       | Mitchell,       | Westover,       |
| Fuller,       | Osborn,         | Wilcox,         |
| Gay,          | Plimpton,       | H. G. Williams, |
| Gifford,      | Purcell,        | J. A. Williams, |
| Goodrich,     | Riopelle,       | W. D. Williams, |
| Grant,        | Rowlson,        | Woodard,        |
| Harris,       | Sanford,        | Yawkey,         |
| Hartson,      | Seward,         | Speaker,        |
| Holt,         |                 |                 |

85

## NAYS.

Mr. Baxter,

1

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the

township of Zilwaukie, in the county of Saginaw, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Seward,     |
| Avery,        | Horton,         | Shaw,           |
| Barnaby,      | Hubbard,        | Sheldon,        |
| Beall,        | Hunt,           | Shier,          |
| Blake,        | Hurlbut,        | Sickels,        |
| Bostwick,     | Huston,         | F. L. Smith,    |
| Boytton,      | Hutchinson,     | R. B. Smith,    |
| G. G. Briggs, | Ingersoll,      | Snell,          |
| R. V. Briggs, | F. G. Kendrick, | Stannard,       |
| Brownell,     | Kingsley,       | Stewart,        |
| Cameron,      | Klein,          | Stockbridge,    |
| B. Clark,     | Lane,           | Swift,          |
| O. Clark,     | Lee,            | Tarnes,         |
| Cogahall,     | Lovell,         | Thompson,       |
| Crane,        | Mandigo,        | Vowles,         |
| Crossman,     | Mason,          | Wagner,         |
| Curry,        | McCowen,        | Walker,         |
| Davis,        | McKernan,       | Walton,         |
| Eaton,        | Mead,           | Ward,           |
| Eck,          | Miles,          | Weir,           |
| Elliott,      | Miller,         | Wendell,        |
| Fancher,      | Millington,     | Westover,       |
| Fenner,       | Mitchell,       | Wilcox,         |
| Fuller,       | Osborn,         | H. G. Williams, |
| Gay,          | Purcell,        | J. A. Williams, |
| Gifford,      | Riopelle,       | W. D. Williams, |
| Goodrich,     | Romeyn,         | Woodard,        |
| Grant,        | Rowlson,        | Yawkey,         |
| Harris,       | Sanford,        | Speaker,        |
| Hartson,      |                 |                 |

89

## NAYS.

Mr. Baxter, Mr. Plimpton,

2

Title agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the

township of Grosse Point, in the county of Wayne, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Seward,     |
| Avery,        | Hubbard,        | Shaw,           |
| Barnaby,      | Hunt,           | Sheldon,        |
| Beall,        | Hurlbut,        | Shier,          |
| Blake,        | Huston,         | Sickels,        |
| Bostwick,     | Hutchinson,     | F. L. Smith,    |
| Boynnton,     | Ingersoll,      | R. B. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingsley,       | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stookbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Vowles,         |
| Curry,        | McCowen,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Eaton,        | Mead,           | Walton,         |
| Eck,          | Miles,          | Ward,           |
| Elliott,      | Miller,         | Weier,          |
| Fancher,      | Millington,     | Wendell,        |
| Fenner,       | Mitchell,       | Westever,       |
| Fuller,       | Osborn,         | Wilcox,         |
| Gay,          | Purcell,        | H. G. Williams, |
| Gifford,      | Putnam,         | J. A. Williams, |
| Goodrich,     | Riopelle,       | W. D. Williams, |
| Grant,        | Romeyn,         | Woodard,        |
| Harris,       | Rowlson,        | Yawkey,         |
| Hartson,      | Sanford,        | Speaker,        |
| Holt,         |                 |                 |

88

## NAYS.

|             |               |   |
|-------------|---------------|---|
| Mr. Baxter, | Mr. Plimpton, | 2 |
|-------------|---------------|---|

Title agreed to.

On motion of Mr. Ternes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled



A bill to extend the time for the collection of taxes in the town of Fenton, in the county of Genesee, for the year 1863,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Seward,     |
| Avery,        | Hubbard,        | Shaw,           |
| Barnaby,      | Hunt,           | Sheldon,        |
| Beall,        | Hurlbut,        | Shier,          |
| Blake,        | Huston,         | Sickels,        |
| Bostwick,     | Hutchinson,     | F. L. Smith,    |
| Boynston,     | Ingersoll,      | R. B. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingsley,       | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogahall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Vowles,         |
| Curry,        | McCowen,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Eaton,        | Mead,           | Walton,         |
| Eck,          | Miles,          | Ward,           |
| Elliott,      | Miller,         | Weier,          |
| Fancher,      | Millington,     | Wendell,        |
| Fenner,       | Mitchell,       | Westover,       |
| Fuller,       | Osborn,         | Wilcox,         |
| Gay,          | Purcell,        | H. G. Williams, |
| Gifford,      | Putnam,         | J. A. Williams, |
| Goodrich,     | Riopelle,       | W. D. Williams, |
| Grant,        | Romeyn,         | Woodard,        |
| Harris,       | Rowlson,        | Yawkey,         |
| Hartson,      | Sanford,        | Speaker,        |
| Holt,         |                 |                 |

88

## NAYS.

|             |               |   |
|-------------|---------------|---|
| Mr. Baxter, | Mr. Plimpton, | 2 |
|-------------|---------------|---|

Title agreed to.

On motion of Mr. Horton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Grant moved that rule No. 57 of the House, be suspended;

Which motion did not prevail.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes for the year 1868, in the township of Sebewaing, in the county of Huron,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Seward,     |
| Avery,        | Hubbard,        | Shaw,           |
| Barnaby,      | Hunt,           | Sheldon,        |
| Beall,        | Hurlbut,        | Sickels,        |
| Blake,        | Huston,         | Slayton,        |
| Bostwick,     | Hutchinson,     | F. L. Smith,    |
| Boynton,      | Ingersoll,      | R. B. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingsley,       | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| Cameron,      | Lane,           | Stockbridge,    |
| B. Clark,     | Lee,            | Swift,          |
| O. Clark,     | Lovell,         | Ternes,         |
| Cogshall,     | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Vowles,         |
| Curry,        | McCowen,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Eaton,        | Mead,           | Walton,         |
| Eck,          | Miles,          | Ward,           |
| Elliott,      | Miller,         | Weier,          |
| Fancher,      | Millington,     | Wendell,        |
| Fenner,       | Mitchell,       | Westover,       |
| Gay,          | Osborn,         | Wilcox,         |
| Gifford,      | Purcell,        | H. G. Williams, |
| Goodrich,     | Putnam,         | J. A. Williams, |
| Grant,        | Riopelle,       | W. D. Williams, |
| Harris,       | Romeyn,         | Woodard,        |
| Hartson,      | Rowlson,        | Yawkey,         |
| Holt,         | Sanford,        | Speaker, 87     |

#### NAYS.

|             |             |               |
|-------------|-------------|---------------|
| Mr. Baxter, | Mr. Fuller, | Mr. Plimpton, |
| Crane,      |             |               |

4

Title agreed to.

On motion of Mr. Snell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Fair Grove, in the county of Tuscola, for the year 1868,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Mead moved to amend, by inserting after the words "Fair Grove," where they appear in the bill, the words, "and all other townships in this State,"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

| Mr. Ashley,   | Mr. Holt,       | Mr. Seward,     |
|---------------|-----------------|-----------------|
| Avery,        | Horton,         | Shaw,           |
| Barnaby,      | Hubbard,        | Sheldon,        |
| Beall,        | Hunt,           | Sickels,        |
| Blake,        | Hurlbut,        | Slayton,        |
| Bostwick,     | Huston,         | F. L. Smith,    |
| Boynnton,     | Hutchinson,     | R. B. Smith,    |
| G. G. Briggs, | Ingersoll,      | Snell,          |
| R. V. Briggs, | F. G. Kendrick, | Stannard,       |
| Brownell,     | Kingalev,       | Sewart,         |
| Cameron,      | Klein,          | Stockbridge,    |
| B. Clark,     | Lane,           | Swift,          |
| O. Clark,     | Lee,            | Ternes,         |
| Cogshall,     | Lovell,         | Thompson,       |
| Crossman,     | Mandigo,        | Vowles,         |
| Curry,        | Mason,          | Wagner,         |
| Davis,        | McCowan,        | Walker,         |
| Eaton,        | McKernan,       | Walton,         |
| Eck,          | Mead,           | Ward,           |
| Elliott,      | Miles,          | Weier,          |
| Fancher,      | Miller,         | Wendell,        |
| Fenner,       | Millington,     | Westover,       |
| Fuller,       | Mitchell,       | Wilcox,         |
| Gay,          | Osborn,         | H. G. Williams, |
| Gifford,      | Purcell,        | J. A. Williams, |
| Goodrich,     | Putnam,         | W. D. Williams, |
| Grant,        | Riopelle,       | Woodard,        |

Harris,  
Hartston,

Rowison,  
Sanford,

Yawkey,  
Speaker,

87

NAYS.

Mr. Baxter,  
Crane,

Mr. Plimpton,

Mr. Romeyn,

4

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

NOTIONS AND RESOLUTIONS.

Mr. Huston offered the following:

*Resolved*, That the Speaker be authorized to appoint two more messengers for the House, whose services and per diem shall commence on the 9th of February next;

Which was not adopted.

Mr. Rowison offered the following:

*Resolved*, That the use of this Hall be allowed to the State Publishers' Association on Thursday evening, January 28th, for the purpose of hearing an address from Rev. Dr. J. A. B. Stone;

Which was adopted.

Mr. McKernan offered the following:

*Resolved*, (the Senate concurring,) That the committee on the geological survey, of the Senate and House, act as a joint committee, to consider and report upon that part of the Governor's message which has been referred to them respectively.

Laid on the table for one day, under the rules.

UNFINISHED BUSINESS,

Being the question of ordering to take immediate effect, House bill No. 30, entitled

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Plimpton,

The House went into committee of the whole, on the general order,

Mr. Lovell in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 41, entitled

A bill to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865;

2. Senate bill No. 17, entitled

A bill to amend act No. 227, of the session laws of 1863, entitled "An act to amend sections 1, 2, 4, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358, of the compiled laws, touching the limitation of actions relating to real property;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. Senate bill No. 14, entitled

A bill to amend act No. 290, session laws of 1867, entitled "An act to incorporate the village of St. Johns;"

4. Senate bill No. 6, entitled

A bill to amend sections seven and ten of an act entitled "An act to incorporate the village of Newaygo," approved March 16, 1867, and to add a new section thereto, to stand as section thirty-four;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

Senate joint resolution No. 1, entitled

Joint resolution to provide for paying the publishers of newspapers for publishing the constitution of 1867, as provided by the schedule of said constitution;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

ENOS T. LOVELL, *Chairman*.

Report accepted and committee discharged.

The first and second named bills were placed on the order of third reading.

On motion of Mr. Ingersoll,

The amendments made to the third and fourth named bills and the joint resolution, were concurred in, and the bills and joint resolution were placed on the order of third reading.

On motion of Mr. Brownell,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Wednesday, January 27, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. Swift: petition of Daniel S. Wright and 19 others, asking the repeal of the county drain law;

Also: petition of S. W. Walker and 51 others, for the same purpose;

Also: petition of S. Whipple and 22 others, for the same purpose.

Referred to the committee on drainage.

By Mr. Stannard: petition of Elizabeth Hunt, Caleb Woodman and 24 others, in regard to the corporate limits of the village of Saranac;

Also: petition of Thomas Wilson, A. Wilson and 64 others, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Stannard: petition of E. B. Armstrong, H. H. Powers and 60 others, asking an appropriation of swamp lands to improve the Ionia and Smyrna State road.

Referred to the committee on public lands.

By Mr. Fuller: petition of J. O. Rose, J. T. Escott and 100 others, asking for an appropriation of swamp lands to construct a bridge across the Muskegon river, at Big Rapids, Mecosta county.

Referred to the committee on public lands.

By Mr. Vowles: petition of H. Crawford, John L. Andrews, John Crawford and 98 others, asking for the incorporation of the village of Milford, in the county of Oakland.

Referred to the committee on banks and incorporations.

By Mr. Wagner: petition V. P. Collier, Wm. Wallace and 28 others, resident tax-payers of the city of Battle Creek, praying for an amendment to the charter of said city.

Referred to the committee on banks and incorporations.

By Mr. Swift: petition of O. S. Straight and 61 others, asking a law to regulate the size of dry or packing barrels.

Referred to the committee on State affairs.

By Mr. Hurlbut: petition of T. H. Stephenson and 145 others, citizens of Van Buren county, asking for the passage of a law authorizing the towns of Van Buren and Allegan counties to vote aid to the Lawton, Paw Paw and South Haven railroad.

Referred to the committee on internal improvements.

By Mr. Purcell: petition of August Marxhausen and 37 others, citizens of the city of Detroit, praying for the passage of an act to incorporate the Detroit Building and Saving Association.

Referred to the committee on banks and incorporations.

By Mr. McKernan: petition of the North American Mineral Land Company, to exempt for a term of years, certain property

on the Island of Isle Royale, in the county of Keweenaw, from taxes for all but State purposes.

Referred to the committee on ways and means.

By Mr. Huston: petition of S. R. Weaver and 71 others, citizens of Juniata, Tuscola county, asking for the establishment of a road from Watrousville to section 15, in Fremont, and an appropriation of non-resident highway taxes therefor;

Also: petition of James Turner and 45 others, citizens of Fremont, Tuscola county, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Osborn: petition of Thos. L. Hillers, M. B. Perkins, L. G. Hall and 148 others, residents of the Hudson incorporate school district, asking the repeal of the act to incorporate the public schools of the village of Hudson, approved March 25th, 1867.

Referred to the committee on education.

By Mr. Baxter: memorial of the convention of county drain commissioners of the State of Michigan, held at Detroit, Jan. 19th, 1869, to the Senate and House of Representatives of the State of Michigan.

Referred to the committee on drainage.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 20, entitled

A bill to amend sections 1, 2 and 12, of act No. 119, of the session laws of 1867, approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miles,



The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 181 of the compiled laws, by adding thereto section 53,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to incorporate the Wayne and Pontiac railroad company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shier,

The bill was laid on the table.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A resolution of the board of supervisors of Houghton county, instructing their Representative to use all honorable means to secure the passage of a law abolishing the specific

taxes paid by corporations formed for mining copper, in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill for the equalization of taxes, by making the taxes paid by mining companies in the Upper Peninsula of Michigan, for State purposes, the same as paid by property generally throughout the State;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

H. G. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The resolution was laid on the table.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A bill to amend sections one and two, of act No. 174, of the session laws of 1867, being an act supplementary to "An act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores of minerals, and for other purposes," approved February 15, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. G. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, report herewith the following entitled bill:

A bill to amend an act entitled an act to amend an act entitled "An act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5, 1853, by adding three sections thereto, approved March 12, 1867;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

H. G. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the village of South Saginaw to raise money by tax, to build a station-house or lock-up for the use of said village,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, entitled

A bill to authorize the electors of the village of South Saginaw, to vote a tax for the purpose of building a station-house in said village;

Recommending that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "An act to incorporate the village of Howell," and to add one new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of F. Walker and 185 others, residents of Genesee county, asking the repeal of act No. 397, of the laws of 1867, so far as it relates to Genesee county;

Also,

A bill to repeal act No. 397, of the session laws of 1867, increasing tolls on plank roads in the counties of Bay, Clinton, Gratiot and Saginaw, so far as the same relates to Genesee county,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 22, entitled

A bill to authorize the water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water works of said city;

Also, Senate bill No. 23, entitled

A bill to legalize the election of trustees in the village of St. Johns, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of Ferdinand Sprague and 75 others, asking for the passage of a bill to organize the village of Augusta, in Kalamazoo county;

Also,

A bill to incorporate the village of Augusta, in Kalamazoo county,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Seward,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred the memorial of Orlando Newman, asking the seat in this House occupied by Isaac A. Fancher,

Respectfully report the facts in the case to be as follows:

The representative district in question is composed of four organized counties, viz: Isabella, Midland, Iosco and Alpena, and seven unorganized counties, viz: Clare, Ogemaw, Alcona, Oscoda, Montmorency, Gladwin and Roscommon.

The sitting member, Isaac A. Fancher, received the certificate of election from the board of district canvassers of said district, dated Midland City, November 17, 1868, made up from and based on the returns of three of said organized counties, viz: Isabella, Midland and Iosco, the returns from the county of Alpena not having reached Midland City at that time, (although mailed, as shown by certificate of county clerk, on the 13th day of said month.) The said board of canvassers, on the first day provided by law for such canvass, and without adjournment, proceeded to make up said canvass, and issue the certificate of election as though the said county of Alpena were not a part of their representative district. The vote of the said counties of Midland, Isabella and Iosco, as shown by election certificate aforesaid, and as conceded by the parties, was as follows:

The whole number of votes given for the office of Representative in the State Legislature, was 1,961; and they were given for the following named persons:

|                            |              |
|----------------------------|--------------|
| For Isaac A. Fancher,..... | 898          |
| “ Orlando Newman,.....     | 454          |
| “ George W. Jeffries,..... | 574          |
| Scattering,.....           | 35           |
| Total,.....                | <u>1,961</u> |

Showing a plurality in favor of said sitting member, of 324 votes over George W. Jeffries, and 444 votes over Orlando Newman.

But your committee are of opinion, that as the county of Alpena is one of the organized counties composing said Representative district; that as in said county a *regularly* conducted and *undisputed* election was held, the returns of which were duly made up and forwarded to Midland City, the place of district canvass; that as the action of said board of district canvassers, in making up the returns of the district at that time, without a full return from the organized counties of said district, was hasty, and in violation of the law requiring them to adjourn when returns are not full—that the said certificate of election is *illegal*; therefore *void*.

Your committee find from certified copy of election returns from the said county of Alpena, the regularity of which is undisputed, that the whole number of votes cast in said county for the office of Representative in the State Legislature was 552, and they were given for the following named persons:

|                          |     |
|--------------------------|-----|
| For Orlando Newman,..... | 523 |
| “ Brown,.....            | 29  |
| Total,.....              | 553 |

Whereupon your committee proceed to make up the canvass for said Representative district as follows: The whole number of votes cast for the office of Representative in the State Legislature was 2,513; and they were given for the following named persons:

|                            |      |
|----------------------------|------|
| For Orlando Newman,.....   | 977  |
| “ Isaac A. Fancher,.....   | 898  |
| “ George W. Jeffries,..... | 574  |
| Scattering,.....           | 64   |
| Total,.....                | 2513 |

Giving, as will be seen, to Orlando Newman, a plurality of 403 votes over George W. Jeffries, and of 79 votes over Isaac A.

Fancher. In view of which, your committee recommend the adoption of the following:

*Resolved*, That Orlando Newman is entitled to the seat in this House occupied by Isaac A. Fancher, from the representative district composed of the counties of Isabella, Midland, Iosco, Alpena, and the territory thereto attached.

DANIEL L. CROSSMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Huston,

The resolution recommended by the committee was adopted.

Mr. Mead moved to reconsider the vote adopting the resolution;

Mr. Holt moved to lay the motion to reconsider on the table;

Mr. Ingersoll demanded the yeas and nays.

The demand was seconded, and the motion was agreed to, by yeas and nays, as follows:

#### YEAS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Ashley,   | Mr. Horton, | Mr. Shaw,       |
| Avery,        | Hunt,       | Sheldon,        |
| Baxter,       | Huston,     | Shier,          |
| Beall,        | Hutchinson, | Sickles,        |
| Blake,        | Ingersoll,  | Slayton,        |
| Bostwick,     | Kingsley,   | F. L. Smith,    |
| Boynton,      | Klein,      | R. B. Smith,    |
| G. G. Briggs, | Lane,       | Stannard,       |
| Cameron,      | Lovell,     | Stockbridge,    |
| B. Clark,     | Mandigo,    | Swift,          |
| O. Clark,     | Mason,      | Thompson,       |
| Cogshall,     | McCowen,    | Vowles,         |
| Crane,        | McKernan,   | Wagner,         |
| Crossman,     | Mead,       | Walker,         |
| Curry,        | Miles,      | Walton,         |
| Davis,        | Miller,     | Ward,           |
| Dusseau,      | Millington, | Weier,          |
| Eaton,        | Murray,     | Wendell,        |
| Eck,          | Osborn,     | Westover,       |
| Elliott,      | Putnam,     | Wilcox,         |
| Fuller,       | Riford,     | H. G. Williams, |
| Gifford,      | Riopelle,   | J. A. Williams, |
| Goodrich,     | Romeyn,     | W. D. Williams, |
| Grant,        | Rowlson,    | Woodard,        |



|                   |                     |         |    |
|-------------------|---------------------|---------|----|
| Hartson,<br>Holt, | Sanford,<br>Seward, | Yawkey, | 77 |
| NAYS.             |                     |         |    |

|   |  |  |    |
|---|--|--|----|
| Mr. Barnaby,<br>R. V. Briggs,<br>Brownell,<br>Fenner, | Mr. Gay,<br>Harris,<br>Hurlbut,<br>F. G. Kendrick, | Mr. Lee,<br>Mitchell,<br>Purcell,<br>Ternes, | 12 |
|---|--|--|----|

Mr. Newman then came forward, took and subscribed the constitutional oath of office, and took his seat as a member of the House of Representatives of the Legislature of Michigan.

By the committee on drainage:

The committee on drainage, to whom was referred

A bill authorizing the locating, establishing and constructing of ditches, drains and water-courses by highway commissioners of townships, and repealing all acts relating thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation.

E. A. BROWNELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Curry,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section 1 of an act, entitled an act to incorporate the public schools of the village of Hudson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and expenditures:

The committee on supplies and expenditures would report respectfully, that in obedience to a resolution of the House, adopted several days since, they have purchased six copies each of Reid's Index, Cooley's Digest, and Green's Practice, and have deposited the same in the State Library, to be drawn out for the use of the members during the session. Total cost of the books, \$78.

All of which is respectfully submitted.

LYMAN MURRAY, *Chairman.*

Report accepted.

By the committee on Agricultural College:

The committee on Agricultural College, to whom was referred so much of the retiring Governor's message as relates to the State Agricultural College, have had the same under consideration and respectfully report that they find the condition of the College to be such as in their opinion entitles it to confidence and support. The improvements made in the College during the past few years have been great, and there is evidence that wherever these are known, the institution has gained the cordial approval of the public.

The character of the students and their progress in the studies pursued are all that could be asked. The callings chosen by those who have been educated in the institution, prove that the College is doing the work expected of it when it was established. Much the larger portion of the students, when they leave the College, betake themselves to farming and other industrial pursuits.

Your committee were gratified to find, from abundant evidence, that the State Agricultural College of Michigan occupies a front rank among the colleges of like character in the country. Its officers and graduates are zealously sought for as professors for other institutions, its organization and plans copied largely by Massachusetts, Iowa, Maine, and other States, and its management referred to as successful, and to be commended in U. S., and other reports on agriculture and education.

It cannot expect, however, to hold its present, rank unless it

shall have means to receive more students. For the last three years, such has been the popularity of the College, that the number of applicants for admission who have been turned away for lack of room, far exceeds the number received. It cannot be true economy to force a public institution, founded and sustained at so considerable a cost, to limit its instruction to so few as an average attendance of eighty. Neither is it for the credit of a State that boasts of its educational institutions, to have this one compelled to stand still, and thus really to retrograde, in comparative importance, for lack of suitable buildings. Massachusetts, Iowa, Pennsylvania, and other States, have made heavy appropriations for dormitories, and provided means for the accommodation of all that wish to enter their agricultural colleges. The Michigan Agricultural College, with far larger numbers applying for admission than either of those institutions have, has to content itself with numbers so meager as to serve, both at home and abroad, as a reproach both to the College and the State. An appropriation for a new dormitory is not an appropriation limited to a single year, but one that will furnish additional advantages to the College, and thus aid to its permanent efficiency and reputation, both in the State and in the country at large.

The College will, it is hoped, speedily become possessed of a fund sufficient for all expenses, except the erection of buildings, to which purpose the endowment cannot be applied. Meanwhile, it most urgently needs an appropriation for current expenses and for the building of a new dormitory hall.

Your committee have directed me to report the following bill, entitled

A bill making appropriation for the support of the State Agricultural College, and to pay the expenses of the State Board of Agriculture, and for the erection of a new building for the Agricultural College;

Recommending that the same do pass, and ask to be discharged from the further consideration of the subject.

GEO. P. SANFORD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to provide for the registration of electors in new townships;

Also,

A bill to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of taxes therein;

Also,

A bill to extend the time for the collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne;

Also,

A bill to extend the time for the collection of taxes in the city of Wyandotte, and the township of Ecorse, in the county of Wayne, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the townships of Brownstown, Greenfield and Hamtramck, in the county of Wayne.

E. M. MASON, *Chairman.*

Report accepted.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, Jan. 26, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled..

A bill to extend the time for the collection of taxes in the township of Springwells, in the county of Wayne, for the year 1868;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Almer, in the county of Tuscola, for the year 1868;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Sanilac, county of Sanilac, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 26, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 15, entitled

A bill for the protection of buoys and beacons;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 33, entitled

A bill transferring all moneys from the soldiers' relief fund and soldiers' home fund, to the military fund;

2. Senate bill No. 35, entitled

A bill to amend section 4 of an act entitled "An act to incorporate the city of Battle Creek, approved February 3, 1859, and section 1 of an act amendatory thereof," approved February 25, 1861;

3. Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Lockport, in the county of St. Joseph;

4. Senate manuscript bill, entitled

A bill to extend the time for the collecting of taxes in the several wards in the city of Detroit, in the county of Wayne;

5. Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of LaSalle, in the county of Monroe, for the year 1868;

6. Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Orleans, in Ionia county, for the year 1868;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by

its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and

On motion of Mr. Millington,

The rules were suspended, and the bill was placed on the order of third reading.

The fourth named bill was read a first and second time by its title, and

On motion of Mr. Purcell,

The rules were suspended, and the bill was placed on the order of third reading.

The fifth named bill was read a first and second time by its title, and

On motion of Mr. Woodard,

The rules were suspended, and the bill was placed on the order of third reading.

The sixth named bill was read a first and second time by its title, and

On motion of Mr. Stannard,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 24, entitled

A bill to amend act No. 58, session laws of 1867, approved March 15, 1867, entitled an act to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counsel, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court, and to repeal section 2 of said act;

## 2. Senate bill No. 28, entitled

A bill to amend act No. 202, of the session laws of 1863, approved March 20, 1863, entitled "An act to amend section 23, of the revised statutes of 1846," entitled "of offenses against public justice," the same being section 5842, of the compiled laws;

## 3. Senate bill No. 31, entitled

A bill to amend section nineteen, of an act entitled "An act to incorporate the village of Farmington," approved March 25, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 1, entitled

Joint resolution asking Senators and Representatives in Congress, from Michigan, to secure the passage of the river and harbor appropriation bill, now pending in the United States Senate,

And to inform the House that the Senate has amended the same by striking out, in line 3 the words "on lake," and inserting in place thereof the words "within the State of;"



Also, by adding the following, to stand as resolution 2:

*Resolved*, That His Excellency the Governor, be requested to transmit copies of the foregoing to each of our Senators and Representatives in Congress;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Stockbridge moved that the House concur in the amendments made to the joint resolution by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Sanford,    |
| Avery,        | Holt,           | Seward,         |
| Barnaby,      | Horton,         | Shaw,           |
| Baxter,       | Hubbard,        | Sheldon,        |
| Beall,        | Hunt,           | Shier,          |
| Blake,        | Hurlbut,        | Sickels,        |
| Bostwick,     | Huston,         | Slayton,        |
| Boynton,      | Hutchinson,     | F. L. Smith,    |
| G. G. Briggs, | Ingersoll,      | R. B. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | Stannard,       |
| Brownell,     | Kingsley,       | Stewart,        |
| Cameron,      | Klein,          | Stockbridge,    |
| B. Clark,     | Lane,           | Swift,          |
| O. Clark,     | Lee,            | Ternes,         |
| Cogshall,     | Lovell,         | Thompson,       |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Miller,         | Walton,         |
| Dusseau,      | Millington,     | Ward,           |
| Eaton,        | Mitchell,       | Weier,          |
| Eck,          | Murray,         | Wendell,        |
| Elliott,      | Newman,         | Westover,       |
| Fenner,       | Osborn,         | Wilcox,         |
| Fuller,       | Purcell,        | H. G. Williams, |
| Gay,          | Putnam,         | J. A. Williams, |
| Gifford,      | Riford,         | W. D. Williams, |
| Goodrich,     | Riopelle,       | Woodard,        |
| Grant,        | Romeyn,         | Yawkey,         |
| Harris,       | Rowlson,        | Speaker,        |

## NAYS.

Mr. Mead,

1

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Van Buren and Romulus, in the county of Wayne, for the year 1868,

And to inform the House that the Senate has amended the same by striking out in line 2, of section 2, the word "is," and inserting in place thereof the word "are;" also by inserting in line 6 of said section, after the word "warrant," the words "they might have done;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Stewart moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,

Mr. Hartson,  
Holt,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,

Mr. Rowson,  
Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,

|               |                 |                 |
|---------------|-----------------|-----------------|
| G. G. Briggs, | Ingersoll,      | F. L. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | Stannard,       |
| Brownell,     | Kingsley,       | Stewart,        |
| Cameron,      | Klein,          | Stockbridge,    |
| B. Clark,     | Lane,           | Swift,          |
| O. Clark,     | Lee,            | Ternes,         |
| Cogshall,     | Lovell,         | Thompson,       |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Ward,           |
| Dusseau,      | Miller,         | Weier,          |
| Eaton,        | Millington,     | Wendell,        |
| Eck,          | Mitchell,       | Westover,       |
| Elliott,      | Murray,         | Wilcox,         |
| Fenner,       | Newman,         | H. G. Williams, |
| Fuller,       | Osborn,         | J. A. Williams, |
| Gay,          | Purcell,        | W. D. Williams, |
| Gifford,      | Putnam,         | Woodard,        |
| Goodrich,     | Riford,         | Yawkey,         |
| Grant,        | Riopelle,       | Speaker,        |
| Harris,       | Romeyn,         | 89              |
|               | NAYS.           | 0               |

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 5, entitled

A bill to amend section 2 of an act entitled "An act to define the limits, jurisdiction and power of circuit courts," approved April 8, 1861, being section 3412 of the compiled laws, relative to the holding of terms of court by circuit judges,

And to inform the House that the Senate has amended the same by striking out in section two, all after line two, and inserting in place thereof, the following:

"Counties containing seven thousand inhabitants and upwards, not less than three terms shall be held in each year; and in

counties containing ten thousand inhabitants or upwards, four terms of said court shall be held in each year. The number of inhabitants in each county, having less than ten thousand inhabitants, according to the last census report, shall be ascertained by a computation to be made by the county clerk, at the rate of five inhabitants for each vote cast at the last biennial election, as appears from the returns in his office; and a new computation of inhabitants shall be made in the same manner, by the county clerk of each county, having less than ten thousand inhabitants at the last computation, within twenty days after each subsequent biennial election. It shall also be the duty of such county clerks, ten days after each computation of inhabitants made by them, to certify the number of inhabitants so computed, to the circuit judge of the proper circuit;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Huston moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Sanford, |
| Avery,        | Hubbard,        | Seward,      |
| Barnaby,      | Hunt,           | Shaw,        |
| Baxter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Shier,       |
| Bostwick,     | Hutchinson,     | Sickels,     |
| Boydton,      | Ingersoll,      | Slayton,     |
| G. G. Briggs, | F. G. Kendrick, | F. L. Smith, |
| R. V. Briggs, | Kingsley,       | Stannard,    |
| Brownell,     | Klein,          | Stewart,     |
| Cameron,      | Lane,           | Stockbridge, |
| B. Clark,     | Lee,            | Swift,       |
| O. Clark,     | Lovell,         | Ternes,      |
| Cogshall,     | Mason,          | Thompson,    |

|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | McCowen,    | Vowles,         |
| Crossman, | McKernan,   | Wagner,         |
| Curry,    | Mead,       | Walker,         |
| Davis,    | Miller,     | Walton,         |
| Dusseau,  | Millington, | Ward,           |
| Eaton,    | Mitchell,   | Weier,          |
| Eck,      | Murray,     | Wendell         |
| Fenner,   | Newman,     | Westover,       |
| Fuller,   | Osborn,     | Wilcox,         |
| Gay,      | Purcell,    | H. G. Williams, |
| Gifford,  | Putnam,     | J. A. Williams, |
| Goodrich, | Riford,     | W. D. Williams, |
| Grant,    | Riopelle,   | Woodard,        |
| Harris,   | Romeyn,     | Yawkey,         |
| Hartson,  | Rowlson,    | Speaker,        |
| Holt,     |             | 88              |

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 26, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 17, entitled

A bill authorizing circuit courts sitting in chancery, to refer causes pending in chancery, to special commissioners,

And to inform the House that the Senate has amended the same by striking out in line 1, of section 1, the word "sitting;"

Also, by striking out in same line, the words "any county," and inserting in place thereof the words "the county of Wayne;"

Also, inserting in line 3, of section 3, after the word "and," the word "all."

The Senate has also amended the title of the bill, by striking out the word "sitting," and also by inserting after the word "chancery," where it first occurs, the words "in the county of Wayne;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

**HENRY S. SLEEPER,**

*Secretary of the Senate.*

Mr. Romeyn moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

**YEAS.**

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Seward,     |
| Avery,        | Holt,           | Shaw,           |
| Barnaby,      | Horton,         | Sheldon,        |
| Baxter,       | Hubbard,        | Shier,          |
| Beall,        | Hunt,           | Sickles,        |
| Bostwick,     | Hurlbut,        | Slayton,        |
| Boynton,      | Huston,         | F. L. Smith,    |
| G. G. Briggs, | Hutchinson,     | R. B. Smith,    |
| Brownell,     | Ingersoll,      | Stannard,       |
| Cameron,      | F. G. Kendrick, | Stewart,        |
| B. Clark,     | Kingsley,       | Stockbridge,    |
| O. Clark,     | Klein,          | Swift,          |
| Cogshall,     | Lane,           | Thompson,       |
| Crane,        | Lee,            | Vowles,         |
| Crossman,     | Lovell,         | Wagner,         |
| Curry,        | Mason,          | Walker,         |
| Davis,        | McCowen,        | Walton,         |
| Dusseau,      | McKernan,       | Ward,           |
| Eaton,        | Mead,           | Weier,          |
| Eck,          | Millington,     | Wendell,        |
| Elliott,      | Mitchell,       | Westover,       |
| Fenner,       | Murray,         | Wilcox,         |
| Fuller,       | Newman,         | H. G. Williams, |
| Gay,          | Osborn,         | J. A. Williams, |
| Gifford,      | Putnam,         | Woodard,        |
| Goodrich,     | Riopelle,       | Yawkey,         |
| Grant,        | Romeyn,         | Speaker,        |
| Harris,       | Rowlson,        |                 |

83

**NAYS.**

|                   |              |                 |
|-------------------|--------------|-----------------|
| Mr. R. V. Briggs, | Mr. Purcell, | Mr. Ternes,     |
| Miller,           | Riford,      | W. D. Williams, |

6

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 27, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the members of the Legislature visit the Asylum for the Deaf, Dumb and Blind, on Thursday, the 25th day of February next;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. Lee,

The House concurred in the adoption of the resolution.

#### NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill amending section 1 of "An act to provide for the restoration of lost records, papers or other proceedings in courts of record," being act No. 8, of session laws of 1867;

Also,

A bill supplementary to "An act to provide for the incorporation of lodges and encampments of the Independent Order of Odd Fellows," approved March 15, 1865, and to add one section thereto;

Also,

A bill to provide for the appointment of short-hand reporters in the judicial circuits of this State, and for the recorder's court in the city of Detroit.

Mr. Baxter gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Charles Chandler, as administrator of James McDonald, deceased.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill to amend section 24, of chapter 140, of revised statutes of 1846, being section 5384, of compiled laws, relative to limitation of actions, and to repeal act 30, of the session laws of 1867.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill requiring the Auditor General to provide himself with an official seal, to be impressed upon all tax deeds issued by him, in lieu of an acknowledgment.

Mr. Fenner gave notice that on some future day he would ask leave to introduce

A bill asking an appropriation of State swamp lands to aid in the construction of a ditch on the head waters of Cass river, Sanilac county.

Mr. Mason gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Hiram Rawson.

Mr. Purcell gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Detroit;

Also,

A bill to incorporate the Detroit Building and Savings Association.

Mr. Cogshall gave notice that on some future day he would ask leave to introduce

■ A bill to amend section 3776 of the compiled laws, in relation to transfer of causes in justices' courts.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to prevent animals from trespassing.

Mr. F. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 273, of the session laws of 1865, relative to the duties of township treasurers.



Mr. Sanford gave notice that on some future day he would ask leave to introduce

A bill to regulate the price of the Agricultural College lands.

Mr. Bostwick gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Union City.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill to provide for the establishment and construction of a road, commencing at a point on the "Port Sanilac and Tuscola State road," sixty rods west of the N. E. corner of section 15, township 12 north, 8 east; running thence 160 rods south; thence on the most direct route to the S. E. corner of section 15, township 11 north, 9 east.

Mr. Sanford gave notice that on some future day he would ask leave to introduce

A bill to authorize the common council of the city of Lansing to assess, and the treasurer to collect, a tax to defray the expense of grading Cedar street, in said city.

Mr. Baxter gave notice that on some future day he would ask leave to introduce

A bill to build a State swamp road from the village of Mooreville, in the county of Washtenaw, and along the county line between the counties of Monroe and Lenawee, to the Ohio State line, and asking an appropriation of State swamp land for the construction of the same.

#### INTRODUCTION OF BILLS.

Mr. Westover, unanimous consent being given, introduced

A bill to attach certain unorganized territory to the county of Iosco.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to authorize the Young Men's Society of Saginaw to change the name thereof.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 50, of the session laws of 1864, entitled "An act to provide for the drainage and reclamation of swamp land by means of a road to be known as the East Saginaw and Junction State road," approved February 5, 1864, by adding thereto a new section.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to amend section 4342, of the compiled laws, the same being section 4, of act number 125, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Baxter, previous notice having been given, and leave being granted, introduced

A bill to protect from unnecessary interruption and disturbance, our common schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Baxter, previous notice having been given, and leave being granted, introduced

A bill to aid in the government of our common schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Vowles, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Milford.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Curry, unanimous consent being given, introduced

A bill appropriating two sections of swamp land to complete the Clio and Chesaning State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Osborn, unanimous consent being given, introduced

A bill to repeal act number 426, of the session laws of 1867, entitled "An act to incorporate the public schools of the village of Hudson," approved March 25th, 1867.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Gifford, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Plainwell.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Miller, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Macomb, in the county of Macomb, for the year 1868.

The bill was read a first and second time by its title, and  
On motion of Mr. Mead,

The rules were suspended, and the bill was placed on the order of third reading.

#### THIRD READING OF BILLS.

House bill No. 41, entitled

A bill to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Elliott moved to amend by striking out in lines 13 and 14, of recited section 26, the words "against whom the tax is levied," and inserting in lieu thereof, the words "legally entitled thereto;"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Sanford,    |
| Avery,        | Hubbard,        | Seward,         |
| Barnaby,      | Hunt,           | Shaw,           |
| Baxter,       | Hurlbut,        | Sheldon,        |
| Beall,        | Huston,         | Shier,          |
| Bostwick,     | Hutchinson,     | Sickels,        |
| Boynton,      | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingsley,       | F. L. Smith,    |
| R. V. Briggs, | Klein,          | Stannard,       |
| Brownell,     | Lane,           | Sewart,         |
| Cameron,      | Lee,            | Stockbridge,    |
| B. Clark,     | Lovell,         | Swift,          |
| O. Clark,     | Mandigo,        | Ternes,         |
| Cogshall,     | McCowen,        | Vowles,         |
| Crane,        | McKernan,       | Wagner,         |
| Crossman,     | Mead,           | Walker,         |
| Curry,        | Miller,         | Walton,         |
| Davis,        | Millington,     | Ward,           |
| Dusseau,      | Mitchell,       | Weier,          |
| Eaton,        | Murray,         | Wendell,        |
| Eck,          | Newman,         | Westover,       |
| Fenner,       | Osborn,         | Wilcox,         |
| Fuller,       | Purcell,        | H. G. Williams, |
| Gay,          | Putnam,         | J. A. Williams, |
| Gifford,      | Riford,         | W. D. Williams, |
| Goodrich,     | Riopelle,       | Yawkey,         |
| Hartston,     | Rowlson,        | Speaker,        |
| Holt,         |                 |                 |

82

## NAYS.

|              |             |                  |
|--------------|-------------|------------------|
| Mr. Elliott, | Mr. Harris, | Mr. R. B. Smith, |
| Grant,       | Mason,      |                  |

5

Title agreed to.

On motion of Mr. Cogshall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 17, entitled

A bill to amend act No. 227, of the session laws of 1863, entitled "An act to amend sections 1, 2, 4, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358 of the compiled laws, touching the limitation of actions relating to real property,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Sanford,    |
| Avery,        | Hubbard,        | Seward,         |
| Barnaby,      | Hunt,           | Shaw,           |
| Baxter,       | Hurlbut,        | Sheldon,        |
| Beall,        | Huston,         | Shier,          |
| Bostwick,     | Hutchinson,     | Sieckels,       |
| Boynnton,     | Ingersoll,      | Slayton,        |
| G. G. Briggs, | F. G. Kendrick, | F. L. Smith,    |
| R. V. Briggs, | Kingsley,       | R. B. Smith,    |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lovell,         | Stockbridge,    |
| Crane,        | Mandigo,        | Swift,          |
| Crossman,     | Mason,          | Ternes,         |
| Curry,        | McCowen,        | Thompson,       |
| Davis,        | McKernan,       | Wagner,         |
| Dussean,      | Mead,           | Walker,         |
| Eaton,        | Miller,         | Walton,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Wendell,        |
| Fuller,       | Newman,         | Westover,       |
| Gay,          | Osborn,         | Wilcox,         |
| Gifford,      | Purcell,        | H. G. Williams, |
| Goodrich,     | Putnam,         | J. A. Williams, |
| Grant,        | Riford,         | W. D. Williams, |
| Harris,       | Riopelle,       | Woodard,        |
| Hartson,      | Rowlson,        | Speaker,        |
| Holt,         |                 | 85              |

## NAYS.

|               |          |             |
|---------------|----------|-------------|
| Mr. Brownell, | Mr. Lee, | Mr. Yawkey, |
| Cogshall,     |          | 4           |

Title agreed to.

Mr. Barnaby moved that the House take a recess until 2½ o'clock;

Which motion was withdrawn.

Senate bill No. 14, entitled

A bill to amend act No. 290, session laws of 1867, entitled  
 "An act to incorporate the village of St. Johns,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Seward,     |
| Avery,        | Horton,         | Shaw,           |
| Barnaby,      | Hubbard,        | Sheldon,        |
| Baxter,       | Hunt,           | Shier,          |
| Beall,        | Hurlbut,        | Sickels,        |
| Bostwick,     | Huston,         | Slayton,        |
| Boynton,      | Hutchinson,     | F. L. Smith,    |
| G. G. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| R. V. Briggs, | Kingale, y,     | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| Cameron,      | Lane,           | Stockbridge,    |
| B. Clark,     | Lee,            | Swift,          |
| O. Clark,     | Lovell,         | Ternes,         |
| Cogshall,     | Mandigo,        | Thompson,       |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Dusseau,      | Miller,         | Ward,           |
| Eaton,        | Millington,     | Weier,          |
| Eck,          | Mitchell,       | Wendell,        |
| Elliott,      | Murray,         | Westover,       |
| Fenner,       | Newman,         | Wilcox,         |
| Fuller,       | Osborn,         | H. G. Williams, |
| Gay,          | Purcell,        | J. A. Williams, |
| Gifford,      | Putnam,         | W. D. Williams, |
| Goodrich,     | Riford,         | Woodard,        |
| Grant,        | Riopelle,       | Yawkey,         |
| Harris,       | Rowlson,        | Speaker,        |
| Hartson,      | Sanford,        |                 |

89

## NAYS.

0

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 1, entitled

Joint resolution to provide for paying the publishers of newspapers for publishing the constitution of 1867, as provided by the schedule of said constitution,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Swift moved to amend, by striking out in line 3, of section 1, the words, "Auditor General," and inserting in lieu thereof, the words "Board of State Auditors;"

Which was not agreed to.

The joint resolution was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Sanford,    |
| Avery,        | Horton,         | Seward          |
| Barnaby,      | Hubbard,        | Shaw,           |
| Baxter,       | Hunt,           | Sheldon,        |
| Beall,        | Hurlbut,        | Shier,          |
| Bostwick,     | Huston,         | Sickels,        |
| Boynton,      | Hutchinson,     | Slayton,        |
| G. G. Briggs, | Ingersoll,      | F. L. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| Brownell,     | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogahall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Vowles,         |
| Curry,        | McCowen,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Dusseau,      | Mead,           | Walton,         |
| Eaton,        | Miller,         | Ward,           |
| Eck,          | Millington,     | Weier,          |
| Elliott,      | Mitchell,       | Wendell,        |
| Fenner,       | Murray,         | Westover,       |
| Fuller,       | Newman,         | Wilcox,         |
| Gay,          | Osborn,         | H. G. Williams, |
| Gifford,      | Purcell,        | J. A. Williams, |
| Goodrich,     | Putnam,         | W. D. Williams, |
| Grant,        | Riford,         | Woodard,        |
| Harris,       | Riopelle,       | Yawkey,         |
| Hartson,      | Rowlson,        | Speaker,        |

90

## NAYS.

0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

On motion of Mr. Huston,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, Mr. Yawkey presented the following:

I am requested by the common council of the city of East Saginaw, to tender to the members of the Legislature, the hospitalities of said city, on their excursion trip to Flint, February 25th, 1869.

Mr. Ingersoll offered the following:

*Resolved*, That this House accept the invitation tendered by the city of East Saginaw, to partake of the hospitalities of said city, February 25th;

Which was adopted.

SPECIAL ORDER.

On motion of Mr. Lane,

The House went into committee of the whole, on the special order,

Mr. Yawkey in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following resolutions, reported by the majority and minority of the committee on elections, in the case of Charles C. Dewey, asking the seat in the House occupied by John H. Hubbard, from the first representative district of Jackson county, as follows:

Resolution reported by the majority:

*Resolved*, That Charles C. Dewey is legally entitled to the



seat in this House occupied by John H. Hubbard, from the 1st representative district of Jackson county.

Resolution reported by the minority:

*Resolved*, That the petition of Charles C. Dewey, asking for a seat in this House, as a Representative from the first district of Jackson county, in place of John H. Hubbard, now occupying such seat, be rejected, and the prayer thereof refused;

And have directed their chairman to report the same back to the House, and recommend the adoption of the resolution reported by the majority of the committee.

SAMUEL W. YAWKEY, *Chairman*.

Report accepted and committee discharged.

Mr. Mead moved that the recommendation of the committee be concurred in;

Mr. Romeyn moved the adoption of the following as a substitute for the resolution recommended by the committee:

*Resolved*, That the petition of Charles C. Dewey, asking for a seat in this House, as a Representative from the first district of Jackson county, in place of John H. Hubbard, now occupying such seat, be rejected, and the prayer thereof refused;

Mr. Romeyn demanded the yeas and nays;

The demand was seconded, and the substitute was adopted, by yeas and nays, as follows:

#### YEAS.

|               |                     |                 |
|---------------|---------------------|-----------------|
| Mr. Avery,    | Mr. F. G. Kendrick, | Mr. Shier,      |
| Barnaby,      | Kingsley,           | Slayton,        |
| Blake,        | Klein,              | F. L. Smith,    |
| Bostwick,     | Lee,                | Stannard,       |
| R. V. Briggs, | Lovell,             | Stewart,        |
| Cameron,      | McCowen,            | Stockbridge,    |
| O. Clark,     | McKernan,           | Ternes,         |
| Cogshall,     | Miles,              | Thompson,       |
| Dusseau,      | Murray,             | Walker,         |
| Eaton,        | Plimpton,           | Weier,          |
| Gay,          | Purcell,            | Wendell,        |
| Gifford,      | Riford,             | Wilcox,         |
| Goodrich,     | Riopelle,           | H. G. Williams, |
| Harris,       | Romeyn,             | J. A. Williams, |

Holt,  
Hunt,  
Hutchinson,

Seward,  
Sheldon,

W. D. Williams,  
Woodard,

49

## NAYS.

Mr. Ashley,  
Baxter,  
Beall,  
Boynton,  
G. G. Briggs,  
Brownell,  
B. Clark,  
Crane,  
Crossman,  
Curry,  
Davis,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Mr. Grant,  
Hartson,  
Horton,  
Hurlbut,  
Huston,  
Ingersoll,  
Lane,  
Mandigo,  
Mason,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Newman,

Mr. Osborn,  
Putnam,  
Rowlson,  
Sanford,  
Shaw,  
Sickels,  
R. B. Smith,  
Swift,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Westover,  
Yawkey,

48

Mr. Dusseau moved that Mr. Ashley be excused from voting;  
Which motion did not prevail.

Mr. Ashley then voted as recorded above.

The question then being upon the adoption of the resolution  
reported by the committee, as amended by the substitute,

The same was adopted, a majority of all the members elect  
voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Blake,  
Bostwick,  
R. V. Briggs,  
Cameron,  
O. Clark,  
Cogshall,  
Dusseau,  
Eaton,  
Eck,  
Gay,  
Gifford,  
Goodrich,  
Harris,  
Holt,

Mr. Hunt,  
Hutchinson,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
McKernan,  
Miles,  
Murray,  
Plimpton,  
Purcell,  
Riford,  
Riopelle,  
Romeyn,  
Seward,  
Sheldon,

Mr. Shier,  
Slayton,  
F. L. Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Walker,  
Weier,  
Wendell,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,

50

## NAYS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Baxter,   | Mr. Hartson, | Mr. Osborn,  |
| Beall,        | Horton,      | Putnam,      |
| Boynton,      | Hurlbut,     | Rowlson,     |
| G. G. Briggs, | Huston,      | Sanford,     |
| Brownell,     | Ingersoll,   | Shaw,        |
| B. Clark,     | Lane,        | Sickels,     |
| Crane,        | Mandigo,     | R. B. Smith, |
| Crossman,     | Mason,       | Swift,       |
| Curry,        | McCowen,     | Vowles,      |
| Davis,        | Mead,        | Wagner,      |
| Elliott,      | Miller,      | Walton,      |
| Fenner,       | Millington,  | Ward,        |
| Fuller,       | Mitchell,    | Westover,    |
| Grant,        | Newman,      | Yawkey, 42   |

On motion of Mr. Lee,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Thursday, January 28, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Absent without leave: Messrs. Snell and Ward.

Mr. Putnam asked and obtained leave of absence for Mr. Ward, for an indefinite time, on account of sickness.

## PRESENTATION OF PETITIONS.

By Mr. Ingersoll: memorial of the common council of the village of Corunna, asking that said village may be incorporated as the city of Corunna.

Referred to the committee on banks and incorporations.

By Mr. Huston: petition of Ezra Hazen, J. Kingsbury, J. C. Rix and 96 others, citizens of St. Clair county, praying for the equalization of bounties to volunteer soldiers, enlisting in 1864.

Referred to the committee on ways and means.

By Mr. Hurlbut: petition of H. W. Marshall and 19 others, citizens of Lawrence, Van Buren county, asking for the passage of a law for the corporation of the village of Lawrence.

Referred to the committee on banks and incorporations.

By Mr. Eaton: petition of John W. Owen and 61 others, asking relief for Edward Murphy;

Also: petition of Rev. S. D. Parmer and 60 others, for the same purpose;

Also: petition of Wm. Avery and 101 others, for the same purpose.

Also: petition of Edward Smith and 110 others, for the same purpose.

Referred to the committee on State affairs.

By Mr. Walton: petition of Richard Kent and 22 others, asking for the repeal of a portion of an act for the incorporation of the public schools of the city of Adrian, approved March 13, 1861, and map and papers accompanying the same.

Referred to the committee on education.

By Mr. Clark: petition of Cyrus Smith, A. S. Deming and 14 others, citizens of Homer, Calhoun county, asking for a law allowing the municipalities on the line of the Michigan Air Line railroad to vote aid thereto, said aid to be given when said road is ironed, tied and ready for the cars through such municipality.

Referred to the committee on internal improvements.

By Mr. Plimpton: petition of Wm. Spinner, Stephen Moore Thomas Wilson, John R. Finley, Calvin F. Wilson, William G. Ferson, Miles Buck, C. L. Burrows, Martin Cleveland, A. M. Lapierre, M. Davis and 30 others, colored citizens of Niles, asking for a change in the constitution of this State, so as to enable them, and the other colored people of this State, to exercise the elective franchise.

On motion of Mr. Plimpton,

The petition was referred to the committee on the judiciary, and was ordered printed in the journal.

The following is the petition:

*To the Honorable Senate and House of Representatives of the Legislature of Michigan:*

The undersigned, residents of Niles, Berrien county, and vicinity, respectfully represent that they are colored American

born citizens; that they are possessed of property and pay taxes to support the government, and by the Constitution are deprived of the elective franchise.

Your memorialists pray your Honorable bodies to pass a joint resolution to submit to the people of the State an amendment to the Constitution, providing for the enfranchisement of the resident colored tax-payers of the State, and as in duty bound, would pray.

WM. SPINNER,  
THOMAS WILSON,  
S. MOORE,  
MARTIN CLELAND,  
MILES BUCK,  
F. A. GAINES,  
C. F. WILSON,  
T. WILSON,  
R. STILES,  
J. K. FINLEY,  
THEO. M. FINLEY,  
E. L. CALKINS,  
S. O. GARDINER,  
H. D. GALLUP,  
A. M. LAPIERRE,  
MOSES DEWY,  
C. L. BARNES,  
THEO. FOWLER,  
R. P. MICKS,  
T. FOWLER,  
WM. G. FERSON,

BENJAMIN MARRS,  
GEORGE MARRS,  
JOHN MITCHELL,  
SAMUEL BLACK,  
WARREN MITCHELL,  
WILLIAM MURPHY,  
FRANKLIN GRIFFIN,  
SOLENUM W. GRIFAN,  
WILLIAM WILSON,  
GEORGE O. CURTIS,  
J. J. CURTIS,  
J. H. CURTIS,  
WM. P. HACKLEY,  
SAMUEL NELSON,  
ROBERT LENOX,  
JOHN SMITH,  
THOMAS ALEXANDER,  
WILLIAM COUSINS,  
JULIUS CÆSAR,  
JAMES STEWARD.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 124, of chapter 117, of compiled laws, in relation to the removal of causes from one justice of the peace to another;

Also,

A bill in relation to testimony in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miller,

The further consideration of the bills was indefinitely postponed.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to regulate the sale of patent and other simple and compound medicines in the State of Michigan, and to prohibit publication of their virtues in language of immoral tendency, or of ambiguous character,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to repeal an act entitled "An act to protect mechanics and other laborers in the quiet and peaceable pursuit of their avocations," being act No. 163, of the session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass,

and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

Mr. Harris moved that the bill be ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Mead moved to lay the bill on the table.

Mr. Harris demanded the yeas and nays;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

|            |             |                 |
|------------|-------------|-----------------|
| Mr. Avery, | Mr. Grant,  | Mr. Slayton,    |
| Beall,     | Hutchinson, | Walker,         |
| Bostwick,  | Lovell,     | Walton,         |
| B. Clark,  | Mead,       | Weier,          |
| O. Clark,  | Millington, | J. A. Williams, |
| Crossman,  | Osborn,     | Yawkey,         |
| Eck,       | Plimpton,   | Speaker,        |
| Elliott,   |             |                 |

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NAYS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Romeyn,     |
| Barnaby,      | Hunt,           | Rowlson,        |
| Baxter,       | Hurlbut,        | Seward,         |
| Blake,        | Huston,         | Shaw,           |
| Boynnton,     | Ingersoll,      | Sheldon,        |
| G. G. Briggs, | F. G. Kendrick, | Shier,          |
| R. V. Briggs, | Kingsley,       | Sickels,        |
| Brownell,     | Klein,          | F. L. Smith,    |
| Cameron,      | Lane,           | R. B. Smith,    |
| Cogshall,     | Lee,            | Stannard,       |
| Crane,        | Mandigo,        | Stewart,        |
| Curry,        | Mason,          | Stockbridge,    |
| Davis,        | McCowen,        | Swift,          |
| Dussean,      | McKernan,       | Ternes,         |
| Eaton,        | Miles,          | Thompson,       |
| Fenner,       | Miller,         | Vowles,         |
| Fuller,       | Mitchell,       | Wagner,         |
| Gay,          | Murray,         | Wendell,        |
| Gifford,      | Newman,         | Westover,       |
| Goodrich,     | Purcell,        | Wilcox,         |
| Harris,       | Putnam,         | H. G. Williams, |
| Hartson,      | Riford,         | W. D. Williams, |
| Holt,         | Riopelle,       | Woodard,        |
| Horton,       |                 |                 |

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The motion of Mr. Harris was then agreed to.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to regulate the size of dry or packing barrels, for fruit, roots or vegetables,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 11, entitled

A bill to amend section 5654, of the compiled laws, being section 18, of chapter 150, title 24, of the revised statutes of 1846, relative to the fees of jurors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred joint resolution, entitled

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way, and other aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, in Menominee county, to the iron mines in said county,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to protect from unnecessary interruption and disturbance, our common schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to aid in the government of our common schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to authorize the Young Men's Society of Saginaw to change the name thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred Senate manuscript bill, entitled

A bill to authorize the first Baptist church and society, and the second Baptist church and society, of the city of Grand Rapids, to unite and consolidate with, and to vest their property in the Baptist church and society of the city of Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to change the name of the first Congregational church and society, of Raisin, to the first Presbyterian church and society, of Raisin,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 31, entitled

A bill to amend section nineteen of an act entitled "An act to incorporate the village of Farmington," approved March 25, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 35, entitled

A bill to amend section 4 of an act entitled "An act to incorporate the city of Battle Creek, approved February 3, 1859, and section 1 of an act amendatory thereof, approved February 25, 1861;"

Also, the petition of Hon. V. P. Collier, Wm. Wallace and 28 others, resident tax-payers of the city of Battle Creek, asking for the passage of said bill;

Also, the remonstrance of Charles Nichols and 130 others, remonstrating against the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The petition and remonstrance were laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 27, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 8, entitled

A bill to amend section 7, of chapter 19, and sections 15 and 17, of chapter 21, of the compiled laws, and to add two new sections to chapter 21;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 27, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Grosse Point, in the county of Wayne, for the year 1868;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the town of Fenton, in the county of Genesee, for the year 1868;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Fairgrove, in the county of Tuscola, for the year 1868;

4. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Lenox, in the county of Macomb, for the year 1868;

5. House manuscript bill, entitled

A bill to extend the time for the collection of taxes for the year 1868, in the township of Sebawaing, in the county of Huron;

6. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Zilwaukie, in the county of Saginaw, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill authorizing the township of Bennington, in the county of Shiawassee, to pay a certain war bounty.

Mr. Stewart gave notice that on some future day he would ask leave to introduce

A bill to amend section 37, of chapter 17, of the revised stat-

utes of 1857, being section 819 of compiled laws, relative to the duties of township treasurers.

Mr. B. Clark gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, in consolidating districts formerly known as district No. one, Albion, No. one, Sheridan and Albion, and No. three, Albion and Sheridan, and forming therefrom a district now known as district No. one, fractional, of Albion and Sheridan.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill asking an appropriation of swamp land, to aid in the construction of a wagon road from L'Anse Bay, by way of Portage entry, to Houghton, in Houghton county.

#### INTRODUCTION OF BILLS.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to provide for the appointment of short hand reporters in the judicial circuits of this State, and for the recorder's court, in the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to amend "An act to provide for the restoration of lost records, papers, or other proceedings, in courts of review," being act No. 8, of the session laws of 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill supplementary to an act entitled "An act to provide for the incorporation of lodges and encampments of the 'Independent Order of Odd Fellows,'" approved March 15, 1865, and to add two sections thereto.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to prevent animals from trespassing.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Wendell, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of the Cheboygan river, on the Straits of Mackinaw.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Stannard, unanimous consent being given, introduced

A bill to amend act No. 55, of the session laws of 1867, by substituting for section 2 of said act, a new section, to stand as section 2 of the act, making an additional appropriation of swamp lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Redford, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and

On motion of Mr. R. V. Briggs,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Huston, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing the Juniata branch of the Port Sanilac and Tuscola State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Ashley, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number 4, in the township of Mason, county of Cass, to issue bonds and borrow money to build a school-house in said district.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to incorporate the village of Lawrence.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Sanford, previous notice having been given, and leave being granted, introduced

A bill to authorize the common council of the city of Lansing to assess, and the treasurer to collect, a tax to defray the expense of grading Cedar street, in said city.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to incorporate the city of Corunna.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Westover, unanimous consent being given, introduced

A bill to organize township 14, in range 4 east, in Bay county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

#### THIRD READING OF BILLS.

Senate bill No. 6, entitled

A bill to amend sections seven and ten of an act entitled "An act to incorporate the village of Newyago," approved March 16, 1867, and to add a new section thereto, to stand as section thirty-four,

Was read a third time, and pending the taking of the vote on the passage thereof,



Mr. Fuller moved to amend the bill by striking out in line 10, of recited section 7, after the word "taxes," the word "and," and inserting the word "or" in lieu thereof;

Which was not agreed to.

Mr. Fuller moved to recommit the bill to the committee on banks and incorporations, with instructions to report forthwith;

Which motion prevailed.

The committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was recommitted Senate bill No. 6, entitled

A bill to amend sections 7 and 10 of an act entitled "An act to incorporate the village of Newaygo," approved March 16, 1867, and to add a new section thereto, to stand as section thirty-four,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fuller,

The House concurred in the amendment made to the bill by the committee.

Mr. Vowles moved to amend the bill, by striking out in line 10, of recited section 7, the words "and all other tables;"

Which was not agreed to.

Mr. Swift moved to amend, by striking out in line 10, of recited section 7, the words "tax or;"

Which was not agreed to.

Mr. Brownell moved to reconsider the vote by which the amendment of the committee on banks and incorporations was concurred in;

Which motion did not prevail.

Mr. Huston moved to amend, by inserting the words "to tax or," before the word "suppress," and before the word "punish," the words "to tax or," in the 16th line of recited section 7.

Mr. Slayton demanded the previous question;

The demand was seconded and the main question ordered.

The question being upon the adoption of the amendment proposed by Mr. Huston,

It was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hunt,       | Mr. Seward,     |
| Beall,        | Ingersoll,      | Sheldon,        |
| Blake,        | F. G. Kendrick, | Slayton,        |
| Bostwick,     | Kingsley,       | F. L. Smith,    |
| Boynton,      | Klein,          | R. B. Smith,    |
| G. G. Briggs, | Lane,           | Stewart,        |
| R. V. Briggs, | Mandigo,        | Stockbridge,    |
| Cogshall,     | McCowen,        | Tarnes,         |
| Crossman,     | McKernan,       | Vowles,         |
| Eaton,        | Miles,          | Wagner,         |
| Fuller,       | Mitchell,       | Weier,          |
| Gay,          | Norton,         | Wendell,        |
| Gifford,      | Osborn,         | Westover,       |
| Goodrich,     | Plimpton,       | Wilcox,         |
| Harris,       | Purcell,        | H. G. Williams, |
| Hartson,      | Riford,         | W. D. Williams, |
| Holt,         | Riopelle,       | Woodard,        |
| Hubbard,      | Romeyn,         | Yawkey, 54      |

#### NAYS.

|             |             |                 |
|-------------|-------------|-----------------|
| Mr. Ashley, | Mr. Grant,  | Mr. Putnam,     |
| Barnaby,    | Horton,     | Rowlson,        |
| Baxter,     | Hurlbut,    | Sanford,        |
| Brownell,   | Huston,     | Shaw,           |
| Cameron,    | Hutchinson, | Shier,          |
| B. Clark,   | Lee,        | Sickels,        |
| Crane,      | Lovell,     | Stannard,       |
| Curry,      | Mason,      | Swift,          |
| Davis,      | Mead,       | Thompson,       |
| Dusseau,    | Miller,     | Walker,         |
| Eck,        | Millington, | Walton,         |
| Elliott,    | Murray,     | J. A. Williams, |
| Fenner,     | Newman,     | Speaker, 39     |

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 28, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, The Grand Rapids and Indiana Railroad company have, since 1867, held from market and settlement a large and valuable tract of land, amounting to one million of acres, by reason of which the settlement of northern Michigan has been greatly injured;

*And whereas*, During this entire period the said company have only constructed twenty miles of such road as by the Legislature granting said lands to said company were contemplated;

*And whereas*, The said company have now suspended all operations on their entire route, and their affairs have been placed in the hands of a receiver appointed by the United States Court, for the Western District of Michigan;

*And whereas*, It is reported, and generally believed, that said railroad company is entirely irresponsible and insolvent, and as such, unable to further prosecute the work of constructing such road;

*And whereas*, The interests of the State at large, especially of northern Michigan, demand that a railroad be constructed from Grand Rapids to a point on or near Traverse Bay, as originally provided by the Legislature;

*And whereas*, This Legislature is not fully advised in regard to said land grant, and of the rights of said G. R. and I. R. R. company, and therefore cannot act understandingly in any matter pertaining to a disposal of said lands, with a view of

securing the objects originally intended by the grant; therefore,

*Resolved*, (the House concurring,) That the Attorney General be requested to investigate and ascertain the corporate rights of said railroad company, and that he report his opinion in regard thereto to the Senate at as early a day as possible;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Mason moved to concur in the adoption of the resolution.

Mr. Crossman moved to amend the resolution by inserting after the word "Senate," the words "and House of Representatives;"

Which motion prevailed.

The House then concurred in the adoption of the resolution.

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Orleans, in Ionia county, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Romeyn,  |
| Avery,        | Hunt,           | Rowlson,     |
| Barnaby,      | Hurlbut,        | Seward,      |
| Beall,        | Huston,         | Shaw,        |
| Blake,        | Hutchinson,     | Sheldon,     |
| Bostwick,     | Ingersoll,      | Shier,       |
| G. G. Briggs, | F. G. Kendrick, | Sickels,     |
| R. V. Briggs, | Kingsley,       | Slayton,     |
| Brownell,     | Klein,          | F. L. Smith, |
| Cameron,      | Lane,           | R. B. Smith, |
| B. Clark,     | Lee,            | Stannard,    |
| O. Clark,     | Lovell,         | Stewart,     |
| Cogshall,     | Mandigo,        | Stockbridge, |
| Crane,        | Mason,          | Swift,       |
| Crossman,     | McCowan,        | Ternes,      |
| Curry,        | McKernan,       | Thompson,    |
| Davis,        | Mead,           | Vowles,      |
| Dussean,      | Miles,          | Wagner,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Eaton,    | Miller,     | Walker,         |
| Eck,      | Millington, | Walton,         |
| Elliott,  | Mitchell,   | Weier,          |
| Fenner,   | Murray,     | Wendell,        |
| Fuller,   | Newman,     | Westover,       |
| Gay,      | Norton,     | Wilcox,         |
| Gifford,  | Osborn,     | H. G. Williams, |
| Goodrich, | Plimpton,   | J. A. Williams, |
| Grant,    | Purcell,    | W. D. Williams, |
| Harris,   | Putnam,     | Woodard,        |
| Hartson,  | Riford,     | Yawkey,         |
| Holt,     | Riopelle,   | Speaker,        |
| Horton,   |             |                 |

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## NAYS.

Mr. Baxter, 1

Title agreed to.

On motion of Mr. Stannard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Plimpton moved that the House take a recess until 2½ o'clock this afternoon;

Which motion did not prevail.

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the several wards in the city of Detroit, in the county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Seward,  |
| Avery,        | Hunt,           | Shaw,        |
| Beall,        | Hurlbut,        | Sheldon,     |
| Blake,        | Hutchinson,     | Shier,       |
| Bostwick,     | Ingersoll,      | Sickels,     |
| Boynton,      | F. G. Kendrick, | Slayton,     |
| G. G. Briggs, | Klein,          | F. L. Smith, |
| R. V. Briggs, | Lane,           | R. B. Smith, |
| Cameron,      | Lee,            | Stannard,    |
| B. Clark,     | Lovell,         | Stewart,     |
| O. Clark,     | Mandigo,        | Stockbridge, |
| Cogshall,     | Mason,          | Swift,       |
| Crane,        | McCowan,        | Ternes,      |
| Crossman,     | McKernan,       | Thompson,    |

|           |             |                 |
|-----------|-------------|-----------------|
| Curry,    | Mead,       | Vowles,         |
| Davis,    | Miller,     | Wagner,         |
| Dussean,  | Millington, | Walker,         |
| Eaton,    | Mitchell,   | Walton,         |
| Eck,      | Murray,     | Weier,          |
| Elliott,  | Newman,     | Wendell,        |
| Fuller,   | Norton,     | Westover,       |
| Gay,      | Osborn,     | Wilcox,         |
| Gifford,  | Plimpton,   | H. G. Williams, |
| Goodrich, | Purcell,    | J. A. Williams, |
| Grant,    | Putnam,     | W. D. Williams, |
| Harris,   | Riford,     | Woodard,        |
| Hartson,  | Riopelle,   | Yawkey,         |
| Holt,     | Romeyn,     | Speaker,        |
| Horton,   | Rowlson,    |                 |

86

## NAYS.

Mr. Baxter,

1

Title agreed to.

On motion of Mr. Purcell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. White moved that the House take a recess until 2½ o'clock this afternoon;

Which motion was withdrawn.

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of LaSalle, in the county of Monroe, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |               |
|---------------|-----------------|---------------|
| Mr. Ashley,   | Mr. Hartson,    | Mr. Riopelle, |
| Avery,        | Holt,           | Romeyn,       |
| Barnaby,      | Horton,         | Sanford       |
| Baxter,       | Hubbard,        | Shaw,         |
| Beall,        | Hunt,           | Sheldon,      |
| Bostwick,     | Huston,         | Sickels,      |
| G. G. Briggs, | Ingersoll,      | Slayton,      |
| R. V. Briggs, | F. G. Kendrick, | F. L. Smith,  |
| Brownell,     | Kingsley,       | Stannard,     |
| Cameron,      | Klein,          | Stewart,      |
| B. Clark,     | Lane,           | Stockbridge,  |
| O. Clark,     | Lee,            | Swift,        |

|           |             |                 |
|-----------|-------------|-----------------|
| Cogshall, | Lovell,     | Ternes,         |
| Crane,    | Mandigo,    | Vowles,         |
| Crossman, | Mason,      | Wagner,         |
| Curry,    | McCowen,    | Walker,         |
| Davis,    | McKernan,   | Walton,         |
| Dussean,  | Mead,       | Weier,          |
| Eaton,    | Miller,     | Wendell,        |
| Eck,      | Millington, | Westover,       |
| Fenner,   | Mitchell,   | Wilcox,         |
| Fuller,   | Murray,     | H. G. Williams, |
| Gay,      | Newman,     | J. A. Williams, |
| Gifford,  | Norton,     | W. D. Williams, |
| Goodrich, | Osborn,     | Woodard,        |
| Grant,    | Purcell,    | Yawkey,         |
| Harris,   | Riford,     | Speaker, 81     |

## NAYS.

|              |               |            |
|--------------|---------------|------------|
| Mr. Elliott, | Mr. Plimpton, | Mr. Shier, |
| Miles,       | Putnam,       | 5          |

Title agreed to.

On motion of Mr. Woodard;

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Lockport, in the county of St. Joseph,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Rowison, |
| Avery,        | Hubbard,        | Seward,      |
| Barnaby,      | Hunt,           | Shaw,        |
| Baxter,       | Hurlbut,        | Sheldon,     |
| Beall,        | Huston,         | Shier,       |
| Blake,        | Ingersoll,      | Sickels,     |
| Bostwick,     | F. G. Kendrick, | Slayton,     |
| Boynnton,     | Kingsley,       | F. L. Smith, |
| G. G. Briggs, | Klein,          | R. B. Smith, |
| R. V. Briggs, | Lane,           | Stannard,    |
| Brownell,     | Lee,            | Stewart,     |
| Cameron,      | Lovell,         | Stockbridge, |
| B. Clark,     | Mandigo,        | Swift,       |
| O. Clark,     | Mason,          | Ternes,      |
| Cogshall,     | McCowan,        | Thompson,    |

|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | McKernan,   | Vowles,         |
| Crossman, | Mead,       | Wagner,         |
| Curry,    | Miller,     | Walker,         |
| Davis,    | Millington, | Walton,         |
| Dussean,  | Mitchell,   | Weier,          |
| Eck,      | Murray,     | Wendell,        |
| Fenner,   | Newman,     | Westover,       |
| Fuller,   | Norton,     | Wilcox,         |
| Gay,      | Osborn,     | J. A. Williams, |
| Goodrich, | Purcell,    | W. D. Williams, |
| Grant,    | Putnam,     | Woodard,        |
| Harris,   | Riford,     | Yawkey,         |
| Hartson,  | Riopelle,   | Speaker, 84     |
|           | NAYS.       | 0               |

Title agreed to.

On motion of Mr. Millington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Westover,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Macomb, in the county of Macomb, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|             |              |               |
|-------------|--------------|---------------|
| Mr. Ashley, | Mr. Hartson, | Mr. Riopelle, |
| Barnaby,    | Holt,        | Romeyn,       |
| Beall,      | Horton,      | Sanford,      |
| Blake,      | Hubbard,     | Shaw,         |



|               |                 |                 |
|---------------|-----------------|-----------------|
| Bostwick,     | Hunt,           | Sheldon,        |
| G. G. Briggs, | Hurlbut,        | Shier,          |
| R. V. Briggs, | Huston,         | Sickles,        |
| Cameron,      | Hutchinson,     | Slayton,        |
| B. Clark,     | Ingersoll,      | F. L. Smith,    |
| O. Clark,     | F. G. Kendrick, | R. B. Smith,    |
| Cogshall,     | Kingsley,       | Stannard,       |
| Crane,        | Klein,          | Stockbridge,    |
| Crossman,     | Lane,           | Ternes,         |
| Curry,        | Lee,            | Vowles,         |
| Davis,        | Mason,          | Wagner,         |
| Dussseau,     | McCowen,        | Walker,         |
| Eaton,        | Mead,           | Walton,         |
| Eck,          | Miles,          | Weier,          |
| Elliott,      | Miller,         | Wilcox,         |
| Fenner,       | Mitchell,       | H. G. Williams, |
| Faller,       | Murray,         | J. A. Williams, |
| Gay,          | Newman,         | W. D. Williams, |
| Gifford,      | Norton,         | Woodard,        |
| Goodrich,     | Osborn,         | Yawkey,         |
| Grant,        | Purcell,        | Speaker,        |
| Harris,       |                 |                 |

76

## NAYS.

Mr. Baxter, Mr. Plimpton,

2

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Norton,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bill on the order of third reading was put upon its passage.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Redford, in the county of Wayne, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|             |              |               |
|-------------|--------------|---------------|
| Mr. Ashley, | Mr. Hartson, | Mr. Riopelle, |
| Barnaby,    | Holt,        | Sanford,      |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Beall,        | Horton,         | Shaw,           |
| Blake,        | Hubbard,        | Sheldon,        |
| Bostwick,     | Hunt,           | Shier,          |
| Boynton,      | Hurlbut,        | Sickels,        |
| G. G. Briggs, | Huston,         | Slayton,        |
| R. V. Briggs, | Hutchinson,     | F. L. Smith,    |
| Cameron,      | Ingersoll,      | R. B. Smith,    |
| B. Clark,     | F. G. Kendrick, | Stannard,       |
| O. Clark,     | Kingsley,       | Stockbridge,    |
| Cogahall,     | Klein,          | Ternes,         |
| Crane,        | Lane,           | Vowles,         |
| Crossman,     | Lee,            | Wagner,         |
| Curry,        | Mason,          | Walker,         |
| Davis,        | McCowan,        | Walton,         |
| Dussean,      | Mead,           | Weier,          |
| Eaton,        | Miles,          | Wendell,        |
| Eck,          | Miller,         | Westover,       |
| Elliott,      | Millington,     | Wilcox,         |
| Fenner,       | Mitchell,       | H. G. Williams, |
| Fuller,       | Newman,         | J. A. Williams, |
| Gay,          | Norton,         | W. D. Williams, |
| Gifford,      | Osborn,         | Woodard,        |
| Goodrich,     | Purcell,        | Yawkey,         |
| Grant,        | Putnam,         | Speaker,        |
| Harris,       |                 |                 |

79

## NAYS.

Mr. Baxter, Mr. Plimpton,

2

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Ingersoll offered the following:

*Resolved*, That the State Treasurer be and is hereby respectfully requested to report to this House the entire amount of money appropriated and paid to the State Agricultural Society, out of the treasury, since the organization of said society;

Which was adopted.

Mr. Ingersoll offered the following:

*Resolved*, That the committee on supplies and expenditures, be and they are hereby instructed, to have the ceiling of this

House whitewashed or cleansed during the recess of the Legislature;

Which was adopted.

Mr. Brownell offered the following:

*Resolved*, That the House and Senate committees on drainage be authorized to employ a clerk, to aid in the more perfect arrangement and compilation of our drainage laws, for not to exceed in all twenty days;

Which was adopted.

Mr. Sanford offered the following:

*Resolved*, That the Clerk be and he is hereby directed to have printed, 300 copies of the preliminary report of the President of the State Agricultural College, for the use of the House;

Which was adopted.

Mr. Plimpton moved to reconsider the vote by which the House yesterday concurred in the recommendation of the committee of the whole, as amended by the adoption of a substitute declaring that John H. Hubbard is entitled to the seat now occupied by him, and that the prayer of C. C. Dewey, asking said seat, be refused.

Mr. Thompson moved to lay the motion to reconsider on the table;

Which motion prevailed.

Mr. McKernan offered the following:

*Resolved*, That the Attorney General be and he is hereby requested to furnish a statement to this House, showing the land grants made to this State for railroad and other purposes, the names of the companies holding said land grants, the number of miles of road constructed by each of said companies, and such other information as may show the condition of said land grants generally.

Mr. Mead moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was not adopted.

Mr. Ingersoll moved that when the House adjourn to-day, it be until to-morrow morning at 9 o'clock;

Which motion prevailed.

Mr. G. G. Briggs moved to reconsider the vote by which the House concurred in the adoption of the Senate concurrent resolution directing the Attorney General to furnish an opinion relative to the condition of the Grand Rapids and Indiana railroad;

Which motion prevailed.

Mr. Baxter moved to reconsider the vote by which the House amended the concurrent resolution;

Which motion prevailed.

The question recurring on the amendment,

The same was not adopted.

On motion of Mr. G. G. Briggs,

The House concurred in the adoption of the resolution.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 27, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved, (the House concurring,) That his Excellency the Governor, be requested to make a requisition on the Auditor General for the sum of four thousand dollars, or so much thereof as remains unexpended, in accordance with act No. 22, session laws of 1867, and that the same be transmitted to the treasurer of the Antietam National Cemetery;*

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Wilcox moved that the House concur in the adoption of the resolution;

Mr. Plimpton demanded the yeas and nays;

The demand was seconded.

Pending the taking of the vote,

Mr. Putnam moved to refer the resolution to the committee on federal relations;

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Jan. 27, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to legalize the assessment roll for the township of Holly, in the county of Oakland, and to extend the time for the collection of taxes therein;

Also,

An act to legalize the tax roll in the village of Holly, in the county of Oakland, for the year 1868, and to extend the time for the collection of taxes spread thereon;

Also,

An act to legalize the tax roll of the township of Big Rapids, Mecosta county, for the year 1868, and to extend the time for the collection of the taxes therein;

Also,

An act to extend the time for the collection of certain drain taxes in the townships of Ecorse, Dearborn and Taylor, in the county of Wayne;

Also,

An act to extend the time for the collection of taxes in the city of Wyandotte, and the township of Ecorse, in the county of Wayne, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the townships of Brownstown, Greenfield and Hamtramck, in the county of Wayne;

Also,

An act to provide for the registration of electors in new townships.

HENRY P. BALDWIN.

The message was laid on the table.

UNFINISHED BUSINESS,

Being the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the committee on the geological survey, of the Senate and House, act as a joint committee, to consider and report upon that part of the Governor's message which has been referred to them respectively;

Which was adopted.

Mr. Brownell moved that the House adjourn;

Which motion was withdrawn.

GENERAL ORDER.

On motion of Mr. Wilcox,

The House went into committee of the whole, on the general order,

Mr. W. D. Williams in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 22, entitled

A bill appropriating certain non-resident highway taxes, for the improvement of certain roads in the county of Gratiot;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1, article 9, of the constitution of this State, relative to the salaries of judges of the circuit court;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

W. D. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill and joint resolution were placed on the order of third reading.

On motion of Mr. Curry,

The House adjourned until to-morrow morning at 9 o'clock

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*Lansing, Friday, January 29, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

The Speaker announced the following appointments:

Additional member of the committee on immigration—Mr. Newman.

Additional member of the committee on lumber interests—Mr. Newman.

By unanimous consent, Mr. G. G. Briggs presented the following communication:

*To the Honorable Members of the House of Representatives:*

The undersigned, in behalf of the State University, desires to announce that the committee on education of the House, and the committee on public instruction of the Senate, propose to visit the University on Tuesday, February 2d, and that any members of the House visiting the University on that day, will be at no expense for fare, either from Lansing and back, or from Detroit to Ann Arbor, and from thence to Lansing. If the fare is paid, arrangements will be made by which it shall be repaid.

Also, inasmuch as it may be inconvenient for many to come to Ann Arbor on that day, if the Legislature will fix any subsequent day on which they will visit the University, in a body,

arrangements will be made to pass them, free of fare, from Lansing to Ann Arbor and back.

E. O. HAVEN.

January 28, 1869.

The communication was laid on the table.

#### PRESENTATION OF PETITIONS.

By Mr. Horton: petition of R. H. Divine and 20 others, citizens of the township of Holly, county of Oakland, asking that an act be passed making it the duty of townships to procure the right of way for railroads through townships, on the same conditions that public highways are obtained;

Also: petition of J. B. Simonson and 28 others, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Harris: petition of David Young, Pain Chapple, Robert Bailey and 100 others, citizens of the township of Brandon, county of Oakland, asking for the repeal of act No. 55, of the session laws of 1867, relative to county superintendents of schools.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to authorize the trustees of the First Methodist Episcopal Church of Hastings, Barry county, to convey certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,



The recommendation of the committee was concurred in, and the bill was referred to the committee on the judiciary.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to legalize the action of the trustees of the Baptist Society in the village of Greenville, Montcalm county, in conveying certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. B. Clark,

The recommendation of the committee was concurred in, and the bill was referred the committee on the judiciary.

By the committee on rules and joint rules:

The committee on rules and joint rules, to whom was referred the following resolution:

*Resolved*, That the committee on rules and joint rules be requested to report to this House, as soon as practicable, any modifications or amendments that may be necessary or desirable to the present rules of the House, in order that the same, if adopted, may be incorporated in the new Manual,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and ask to be discharged from the further consideration of the subject.

A. ELLIOTT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ingersoll,

The rules were ordered printed in the Journal, and laid on the table.

The following are the rules:

RULE 7. He shall distinctly put all questions in this form, to-wit: "As many as are in favor of, [*as the question may be,*] say aye;" and after the affirmative voice is expressed, "As many as are opposed, say no." If the Speaker doubt, or a division be called for, the House shall divide—those voting in the affirmative shall first rise from their seats, afterwards, those in the negative.

RULE 27. A motion to adjourn shall always be in order; that, and the motion to lie on the table, to postpone indefinitely, and all motions relating to questions of order, shall be decided without debate.

RULE 53. On the third reading of all bills or joint resolutions, which have been considered in the committee of the whole, no amendments shall be made thereto without the assent of two-thirds of all the members elect, unless such bills or joint resolutions have been recommitted. When bills or joint resolutions shall be placed on the order of third reading, or their final passage, without having been considered in committee of the whole, amendments shall be in order after the reading of such bills or joint resolutions, and prior to their passage, and may be adopted by a majority vote.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Lawrence, in the county of Van Buren;

Also: the petition of H. W. Marshal and 19 others, citizens of Lawrence, in Van Buren county, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Plainwell, in the county of Allegan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Saranac;

Also, the petition of E. B. Armstrong and 87 others, residents of said village, asking for the passage of said bill;

Also, the petition of Elizabeth Hunt, Caleb Woodward and 24 others, asking for a change in the proposed boundaries of said village, so as to include less farming land;

Also, the petition of Thomas Willson, A. Willson and 64

others, asking for an enlargement of the proposed boundaries of said village,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the city of Corunna;

Also, the memorial of the common council of the village of Corunna, asking for the passage of the bill to incorporate said village as a city,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stockbridge,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to repeal act No. 426, of the session laws of 1867, entitled "An act to incorporate the public schools of the village of Hudson," approved March 25, 1867;

Also, the petition of Thos. J. Hillem, M. B. Perkins, L. G. Hall, N. Rude, E. Canniff and 146 others, residents of the said school district, asking the passage of the bill repealing the above recited act,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boynton,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 28, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 30, entitled

A bill to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw,

And to inform the House that the Senate has amended the same by striking out in line 7, of section 3, all after the word "aforesaid," to and including the word "mentioned," in line 11;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Yawkey moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Sheldon,    |
| Barnaby,      | Hurlbut,        | Shier,          |
| Beall,        | F. G. Kendrick, | Sickels,        |
| Blake,        | Kingsley,       | Slayton,        |
| Bostwick,     | Lovell,         | F. L. Smith,    |
| Boynton,      | McCowen,        | Stannard,       |
| G. G. Briggs, | McKernan,       | Stockbridge,    |
| R. V. Briggs, | Millington,     | Swift,          |
| B. Clark,     | Mitchell,       | Ternes,         |
| O. Clark,     | Murray,         | Vowles,         |
| Davis,        | Newman,         | Wagner,         |
| Eck,          | Norton,         | Walker,         |
| Elliott,      | Osborn,         | Wilcox,         |
| Gifford,      | Putnam,         | W. D. Williams, |
| Grant,        | Riopelle,       | Woodard,        |
| Harris,       | Romeyn,         | Yawkey,         |
| Holt,         | Shaw,           | Speaker,        |
| Horton,       |                 |                 |

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NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 28, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to provide for an insurance on the State Library;

2. Senate manuscript bill, entitled

A bill to extend the time for the collection of drain taxes in the township of Summerfield, in the county of Monroe;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State Library.

The second named bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Holt moved that the House adjourn;

Which motion prevailed.

The Speaker declared the House adjourned until Tuesday morning, February 9th, at 10 o'clock, in accordance with a concurrent resolution previously adopted.

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*Lansing, Tuesday, February 9, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Taylor.

Roll called: quorum present.

Absent without leave: Messrs. Beall, Boynton, Brownell, Curry, Davis, Dusseau, Fenner, Fuller, Hartson, Horton, Jewell, L. Kendrick, F. G. Kendrick, Mead, Miller, Newman, Riopelle, Romeyn, F. L. Smith, Stockbridge, Wendell and J. A. Williams.

Mr. Bostwick asked and obtained leave of absence for Mr. Beall, for an indefinite time, on account of sickness.

Mr. Weier asked and obtained leave of absence for Mr. Dusseau, for the day.

Mr. Crane asked and obtained leave of absence for Mr. Jewell, for an indefinite time, on account of death in his family.

Mr. Ternes asked and obtained leave of absence for Mr. F. G. Kendrick, for the day.

Mr. Plimpton asked and obtained leave of absence for Mr. Riopelle, for the day.

Mr. Hubbard asked and obtained leave of absence for Mr. Romeyn, for the day.

Mr. Mason asked and obtained leave of absence for Mr. Curry, for the day.

Mr. Murray asked and obtained leave of absence for Mr. Davis for the day.

Mr. Mason asked and obtained leave of absence for Mr. Horton, for the day.

Mr. Gifford asked and obtained leave of absence for Mr. Stockbridge, for the day.

Mr. Bostwick asked and obtained leave of absence for Mr. J. A. Williams, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Ternes: petition of John Greusel, John Proctor, David Miller, Richard H. Hall and 99 others, asking the repeal of act number 484, of session laws of 1867, relative to the Detroit and Saline plank road;

Also: petition of David Philips, Allen Blake, George Miller and 112 others, for the same purpose;

Also: petition of Joseph Hillner and 40 others, for the same purpose;

Referred to the committee on banks and incorporations.

By Mr. Purcell: petition of Wm. S. Bond and 370 others, citizens of the city of Detroit, praying for the amendment of the act incorporating the Detroit and Saline plank road company, so as to remove the toll-gate of said company outside the city limits.

Referred to the committee on banks and incorporations.

By Mr. Sanford: remonstrance of Dr. E. H. Lathrop, E. W.



Dart, F. M. Cowles, E. H. Davis and 144 others, against the repeal of any law providing for a homeopathic professor in the University of Michigan.

Referred to the committee on education.

By Mr. Walton: remonstrance of James Mills, N. M. Guthrie and 494 others, against the division of school district No. 1; of the city of Adrian.

Referred to the committee on education.

By Mr. Walton: remonstrance of J. Winans, M. Marlett, Wm. Bruce and 74 others, citizens of Lenawee county, against any alteration of the charter of the city of Adrian, whereby the limits of said city shall be extended beyond the present boundaries.

Referred to the committee on banks and incorporations.

By Mr. Walton: petition of T. S. Applegate, W. A. Bisbee, N. Van Brant and 74 others, citizens of Lenawee county, asking for an amendment to the game laws of this State, so as to prevent the catching of quails and other game.

Referred to the committee on State affairs.

By Mr. Stannard: remonstrance of C. B. Pratt, R. Vosper and 56 others, residents of the village of Saranac, against the incorporation of said village.

Referred to the committee on banks and incorporations.

By Mr. Shaw: petition of W. A. Whitney, James Miller and 54 others, for the extension of the limits of the city of Adrian.

Referred to the committee on banks and incorporations.

By Mr. Shaw: remonstrance of J. R. Clark, J. H. Wood, J. H. Warren and 229 others, against the extension of the limits of the city of Adrian.

Referred to the committee on banks and incorporations.

By Mr. Mitchell: petition of N. W. Nelson, W. H. Marsh and 256 others, citizens of Benzie county, asking for the organization of said county;

Also: petition of R. P. Richards and 29 others, citizens of Benzie county, for the same purpose;

Also: petition of L. B. Van Patten, Jr., and 22 others, citi-

zens of the township of Platt, Benzie county, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Mitchell: petition of N. W. Nelson, Henry Woodward and 178 others, asking for the repeal of act 471, session laws of 1867, appropriating non-resident highway taxes for the improvement of State roads;

Also: petition of Alex. Rose, R. W. Baggot and 77 others, citizens of Antrim county, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Wilcox: petition of J. E. Wilson, M. S. Hadley and 100 others, asking for the passage of a bill incorporating the village of Rochester.

Referred to the committee on banks and incorporations.

By Mr. Weier: remonstrance of F. Waldorf, D. Meulhallen and 620 others, citizens of Monroe county, against the repeal of the law to establish a chair of homeopathy in the University of Michigan.

Referred to the committee on banks and incorporations.

By Mr. Mandigo: petition of W. N. Elliott, U. S. Hays and 52 others, praying for the repeal of the session law of 1855, establishing a chair of homeopathy in the University of Michigan, and that aid be granted to the University at Ann Arbor, without restriction.

Referred to the committee on education.

By Mr. Baxter: petition of Eli Drouillard and 30 others, asking for the repeal of drainage laws.

Referred to the committee on drainage.

By Mr. Seward: petition of J. D. Craig and 123 others, asking for the establishment of a professorship of homeopathy in connection with the University of Michigan.

Referred to the committee on education.

By Mr. Wagner: remonstrance of Erastus Hussey, J. B. Chapin, C. C. Peavey and 85 others, citizens of Battle Creek, against the repeal of the law of 1855, creating a chair of home-

opathy in the University of the State of Michigan, and all other laws and parts of laws upon that subject;

Also: remonstrance of Byron Cole and 29 others, citizens of Calhoun county, for the same purpose.

Referred to the committee on education.

By Mr. Holt: remonstrance of Mr. R. L. Ashley, Rev. S. Reed, F. J. Rand, C. Davis and 46 others, citizens of Muskegon county, against granting any more aid to the University of Michigan, until the chair of homeopathy be established therein.

Referred to the committee on education.

By Mr. R. V. Briggs: petition of Edmund P. Christian, Chas W. Thomas, James Huntzen, Charles Partridge and 47 others, asking for the repeal of the law of 1855 and 1867, establishing a chair of homeopathy in the University of Michigan.

Referred to the committee on education.

By Mr. Plimpton: remonstrance of L. P. Alexander, J. M. Roe, D. Ross and 149 others, citizens of Berrien county, against the repeal of the law of 1855, touching the establishment of a chair of homeopathy, in the University of Michigan, and against amending the law of 1867, granting aid to the same.

Referred to the committee on education.

By Mr. Mitchell: remonstrance of E. E. Kirkland, G. E. Steele and 27 others, citizens of Benzie county, against the organization of Benzie county.

Referred to the committee on towns and counties.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency the Governor, in writing.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, and presented to the Governor, the following bills:

A bill for the protection of buoys and beacons;

Also,

A bill to extend the time for the collection of taxes in the township of Springwells, in the county of Wayne;

Also,

A bill to extend the time for the collection of taxes in the township of Almer, in the county of Tuscola, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the township of Sanilac, in the county of Sanilac, for the year 1868;

Also,

A bill authorizing circuit courts in chancery, in the county of Wayne, to refer causes pending in chancery, to special commissioners;

Also,

A bill to amend section 2 of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8, 1851, being section 3412 of the compiled laws, relative to the holding of terms of court by circuit judges;

Also,

A bill to extend the time for the collection of taxes in the townships of Van Buren and Romulus, in the county of Wayne, for the year 1868;

Also,

A bill to extend the time for the collection of taxes for the year 1868, in the township of Sebewaing, in the county of Huron;

Also,

A bill to extend the time for the collection of taxes in the township of Lenox, in the county of Macomb, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the township of Fair Grove, in the county of Tuscola, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the

township of Fenton, in the county of Genesee, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the township of Grosse Point, in the county of Wayne, for the year 1868;

Also,

A bill to extend the time for the collection of taxes, for the year 1868, in the township of Zilwaukee, in the county of Saginaw;

Also,

A bill to authorize the city of Saginaw to raise money to construct a county jail, for the county of Saginaw.

D. HORTON, *Acting Chairman.*

Report accepted and committee discharged.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, Jan. 30, 1869. }

*To the House of Representatives:*

I have this day approved, signed, and deposited in the office of the Secretary of State, acts entitled as follows, to wit:

An act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw;

Also,

An act to extend the time for the collection of taxes in the township of Zilwaukee, in the county of Saginaw, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Grosse Point, in the county of Wayne, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Fenton, in the county of Genesee, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Fair Grove, in the county of Tuscola, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Lenox, in the county of Macomb, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the townships of Van Buren and Romulus, in the county of Wayne, for the year 1868;

Also,

An act to extend the time for the collection of taxes for the year 1868, in the township of Sebawaing, in the county of Huron;

Also,

An act to amend section 2 of an act entitled "An act to define the limits, jurisdiction and powers of circuit courts," approved April 8, 1851, being section 3412 of the compiled laws, relative to the holding of court by circuit judges;

Also,

An act authorizing circuit courts in chancery, in the county of Wayne, to refer causes pending in chancery, to special commissioners;

Also,

An act to extend the time for the collection of taxes in the township of Sanilac, county of Sanilac, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Almer, in the county of Tuscola, for the year 1868;

Also,

An act to extend the time for the collection of taxes in the township of Springwells, in the county of Wayne, for the year 1868;

Also,

An act for the protection of buoys and beacons.

Respectfully, &c.,

HENRY P. BALDWIN.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,  
*Lansing, January 30, 1869.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

House Joint Resolution asking Senators and Representatives in Congress from Michigan to secure the passage of the river and harbor appropriation bill, now pending in the U. S. Senate,

And have mailed to each of said Senators and Representatives a copy of said joint resolution.

Respectfully, &c.,

HENRY P. BALDWIN.

The message was laid on the table.

#### NOTICES.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill for the incorporation of the village of Wayne, in Wayne county, Mich.

Mr. Westover gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Portsmouth, in the county of Bay.

Mr. Ternes gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year one thousand eight hundred and sixty-eight.

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to legalize certain tax rolls in Lenawee county.

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to provide for the payment of Porter L. Swords, money furnished in procuring volunteers credited to the township of Woodstock, Lenawee county, to aid in the suppression of the rebellion.

Mr. Riford gave notice that on some future day he would ask leave to introduce

A bill to protect persons and property on railroad trains.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Marquette, in the county of Marquette, for the year 1868.

Mr. Barnaby gave notice that on some future day he would ask leave to introduce

A bill to protect fishing in the north fork of Bad river, and its branches, in the counties of Gratiot and Saginaw.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill asking an appropriation of swamp land, to aid in the construction of a wagon road from Church's Landing, on Portage river, to the head of Torch Lake, in Houghton county;

Also,

Joint resolution asking Congress for an appropriation of money, to improve Portage lake and river, in Houghton county.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to aid in the completion of a bridge over the Kalamazoo river, in the township of Cooper, Kalamazoo county.

Mr. G. G. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Grand Rapids.

Mr. Purcell gave notice that on some future day he would ask leave to introduce



A bill to appoint a board for the improvement of Fort street, in the township of Springwells, in the county of Wayne, Mich.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section one of an act entitled "An act rendering persons disqualified from sitting as jurors in certain cases," in the county of Wayne, approved March 27, 1867.

Mr. Harris gave notice that on some future day he would ask leave to introduce

A bill to incorporate the Machinists' and Blacksmiths' Union No. 2, of Michigan.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill for the organization of the county of Benzie.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Millville, Muskegon county, and the plat thereof, to Bluffton.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

Joint resolution for the benefit of John Dawling.

#### INTRODUCTION OF BILLS.

Mr. Millington, previous notice having been given, and leave being granted, introduced

A bill for the relief of Jacob Bennage.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Eaton, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the city of Jackson, in the county of Jackson, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the city of Wyandotte," approved March 5, 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking the General Government for a grant of land to aid in the construction of the Mineral Range railroad.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Mason, previous notice having been given, and leave being granted, introduced

Joint resolution for the relief of Hiram Ransom.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Rochester.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Ternes, previous notice having been given, and leave being granted, introduced

A bill to repeal act number 484, of session laws of 1867, entitled "An act to amend act number 100, of session laws of 1848, incorporating the Detroit and Saline Plank Road Company," by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS.

House bill No. 22, entitled

A bill appropriating certain non-resident highway taxes, for the improvement of certain roads in the county of Gratiot,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut, | Mr. Sanford,    |
| Avery,        | Huston,      | Seward,         |
| Barnaby,      | Hutchinson,  | Shaw,           |
| Baxter,       | Ingersoll,   | Sheldon,        |
| Blake,        | Kingsley,    | Shier,          |
| Bostwick,     | Klein,       | Slayton,        |
| G. G. Briggs, | Lane,        | Stannard,       |
| R. V. Briggs, | Lee,         | Stewart,        |
| Cameron,      | Mandigo,     | Swift,          |
| B. Clark,     | Mason,       | Ternes,         |
| O. Clark,     | McCowen,     | Thompson,       |
| Cogshall,     | McKernan,    | Wagner,         |
| Crane,        | Miles,       | Walker,         |
| Eaton,        | Millington,  | Walton,         |
| Eck,          | Mitchell,    | Weier,          |
| Elliott,      | Murray,      | Westover,       |
| Gay,          | Norton,      | White,          |
| Gifford,      | Osborn,      | Wilcox,         |
| Goodrich,     | Plimpton,    | H. G. Williams, |
| Grant,        | Purcell,     | W. D. Williams, |
| Harris,       | Putnam,      | Woodard,        |
| Holt,         | Riford,      | Yawkey,         |
| Hubbard,      | Rowlson,     | Speaker,        |
| Hunt,         |              |                 |

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## NAYS.

Mr. Lovell, 1

Title agreed to.

On motion of Mr. Barnaby,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 4, entitled

Joint resolution proposing an amendment to section 1, article 9, of the constitution of this State, relative to the salaries of judges of the circuit court,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Huston,

The joint resolution was laid on the table.

## MOTIONS AND RESOLUTIONS.

Mr. Elliott offered the following:

*Resolved*, That the Secretary of State be and is hereby requested to inquire into the feasibility of ventilating this Hall on some economical plan, together with the probable cost thereof, and report the result of his investigations to this House at his earliest convenience;

Which was not adopted.

## GENERAL ORDER.

On motion of Mr. Plimpton,

The House went into committee of the whole, on the general order,

Mr. Mason in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 27, entitled

A bill to define the powers and duties of highway commissioners in certain cases;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. House bill No. 35, entitled

A bill to amend an act entitled "An act to extend aid to the University of Michigan;"

And have directed their chairman to report the same back to the House.

E. M. MASON, *Chairman*.

Report accepted.

On motion of Mr. Baxter,

The amendments made to the first named bill were concurred in, and the bill was placed on the order of third reading.

On motion of Mr. Yawkey,

The second named bill was made the special order for this afternoon at 2 o'clock.

On motion of Mr. Sanford,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The committee on elections asked and obtained leave of absence for the afternoon.

SPECIAL ORDER.

On motion of Mr. Ingersoll,

The House went into committee of the whole, on the special order,

Mr. Cameron in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 85, entitled

A bill to amend an act entitled "An act to extend aid to the University of Michigan;"

Have adopted a substitute therefor, and have directed their chairman to report the same back to the House, asking concurrence in such action, and recommend the passage of the substitute.

ALEXANDER CAMERON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the adoption of the substitute, and the bill was placed on the order of third reading.

Mr. Plimpton moved that the House adjourn;

Which motion did not prevail.

## GENERAL ORDER.

On motion of Mr. Miles,

The House went into committee of the whole, on the general order,

Mr. Plimpton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

EMORY M. PLIMPTON, *Chairman*.

Report accepted.

Mr. Slayton moved that leave be granted the committee to sit again.

On motion of Mr. Millington,

The bill was made the special order for Friday next, at two o'clock, P. M.

On motion of Mr. Barnaby,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Wednesday, February 10, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Perrine.

Roll called: quorum present.

Absent without leave: Messrs. Dussean, Fuller, L. Kendrick and Slayton.

Mr. Brownell asked and obtained leave of absence for Mr. L. Kendrick, for an indefinite time, on account of sickness.

Mr. Vowles asked and obtained leave of absence for Mr. Slayton, for the day.

PRESENTATION OF PETITIONS.

By Mr. Ingersoll: petition of Eli Moore, H. McCurdy, S. B. Raynale and 138 others, citizens of Corunna, asking for the passage of an act incorporating the city of Corunna;

Also: petition of J. Fuller, H. A. Huntington and 83 others, who, without due consideration, signed a remonstrance against the incorporation of the city of Corunna, but now, on mature reflection, pray for such city corporation.

On motion of Mr. Ingersoll,

The petitions were laid on the table.

By Mr. Purcell: petition of Moses W. Fields and 808 others, citizens of Detroit, asking for the passage of a lien law.

Referred to the committee on State affairs.

By Mr. Swift: petition of O. C. Abell, J. J. Palmer, Wm. C. Steers and 70 others, asking for the passage of a bill to incorporate the village of Wayne.

Referred to the committee on banks and incorporations.

By Mr. Miller: petition of T. W. Snook, E. R. Potter and 80 others, citizens of Mount Clemens, Macomb county, asking the appointment of a Professor of Homeopathy in the University of Michigan.

Referred to the committee on education.

By Mr. Miller: petition of C. E. Baldwin, S. Jacobs, John Kelly and 30 others, residents of the townships of Lenox and Chesterfield, in the county of Macomb, asking that certain territory be organized into a school district by an act of the Legislature.

Referred to the committee on education.

By Mr. Shaw: remonstrance of John C. Harvey, Wm. Crane and 33 others, against having any portion of the township of Madison set off to the city of Adrian.

Referred to the committee on banks and incorporations.

By Mr. Vowles: remonstrance of L. W. Sebring and 78 others, against the incorporation of the village of Milford.

Referred to the committee on banks and incorporations.

By Mr. Vowles: petition of G. W. Button, G. D. Woodman and 68 others, citizens of Lyons, Oakland county, asking the passage of a law legalizing the votes of cities, towns and counties along the line of the Michigan Air Line Railroad, in voting aid in the construction of the same, or the passage of a law by virtue of which the said cities, towns and counties may be enabled to vote such aid.

Referred to the committee on internal improvements.

By Mr. Mead: petition of A. Haywood, Alden Giddings, Harvey Millen and 57 others, citizens of Romeo, Macomb county, remonstrating against the repeal or alteration of the law of 1855, creating a chair of homeopathy in the University of Michigan, and against the proviso to the act of 1867 to the same effect;

Also: petition of Isaac Douglass, Wm. Wilkinson, J. B. Dyar, Amos Palmer and 49 others, citizens of Romeo, Macomb county, for the same purpose.

Referred to the committee on education.

By Mr. Eaton: petition of C. B. Knickerbocker, D. W. C. Smith, J. B. Grundy and 122 others, of Jackson, relative to the University; and also, remonstrating against striking out the proviso of the act of 1867, granting aid to the same.

Referred to the committee on education.

By Mr. F. G. Kendrick: petition of Wm. Brownell and 49 others, citizens of Macomb county, praying for the repeal of the law of 1855, requiring the Regents of the University of the State of Michigan to establish at least one Professorship of Homeopathy in said University.

Referred to the committee on education.

By Mr. Hutchinson: remonstrance of M. D. Strong and 76 others, citizens of Marshall, Calhoun county, against the repeal of the law of 1855, creating a chair of Homeopathy in the State University, and all other laws on that subject;



Also: remonstrance of Wm. L. Buck and 165 others, citizens of Marshall, against the same;

Also: remonstrance of J. O. Frink and 64 others, citizens of Marshall, against the same.

Referred to the committee on education.

By Mr. Bostwick: remonstrance of J. M. Long and 62 others, citizens of Coldwater, against the repeal of the law of 1855, creating a chair of Homeopathy in the State University, and all other laws and parts of laws on that subject.

Referred to the committee on education.

By Mr. Elliott: petition of H. P. Chaney, Wm. P. Bristol and 59 others, citizens of Johnstown, asking that section 1, article 2, of the constitution, be amended and submitted to the people, by making the first Monday in March the time for holding township meetings, instead of April.

Referred to the committee on the judiciary.

By Mr. Romeyn: remonstrance of Theo. Romeyn and 5 others, of the Detroit bar, against the passage of the Senate bill by the House, conferring civil jurisdiction upon the recorder's court of the city of Detroit.

Referred to the committee on the judiciary.

By Mr. Romeyn: petition of H. C. Chandler and 60 others, citizens of Detroit, asking for the passage of amendments to the mechanics' lien law.

Referred to the committee on State affairs.

By Mr. Miles: petition of A. J. Goggins, J. Jones and 123 others, citizens of Greenwood, Brockway and Lynn, in the county of St. Clair, praying for the construction of a State road through the northern portions of said towns, to be known as the Greenwood, Brockway and Lynn State road, and asking for an appropriation of swamp lands for the same.

Referred to the committee on public lands.

By Mr. Boynton: petition of John L. Newell, Henry Fish, H. J. Bockins and 72 others, citizens of the city of Port Huron, St. Clair county, praying that the Legislature grant the aid required by the University, but at the same time provide ade-

quately for teaching homeopathy, either in the medical department of the University, or by a new department thereof.

Referred to the committee on education.

By Mr. Crane: petition of F. A. Dewey and 50 others, of the town of Cambridge, Lenawee county, asking for the passage of a bill for the relief of the treasurer of the town of Cambridge, in Lenawee county.

Referred to the committee on local taxation.

By Mr. G. G. Briggs: petition of J. W. Pierce, John Ball, A. L. Chubb, A. O. Carrier and 75 others, citizens of the city of Grand Rapids, asking that a geological survey of the State may be ordered, and that a liberal appropriation may be made for the same.

Referred to the committee on geological survey.

By Mr. G. G. Briggs: petition of C. J. Hempel, S. O. Kingsbury and 225 others, citizens of Grand Rapids, asking that aid be granted to the University, but at the same time to provide adequately for the teaching of the homeopathic system of medicine, either at Ann Arbor, or by a new department, to be located on the University grounds, or by a branch of the University, to be located by the Board of Regents.

Referred to the committee on education.

By Mr. Huston: remonstrance of N. E. York, supervisor of Arbela, Tuscola county, against dissolving fractional school district No. 4, of Arbela and Millington.

Referred to the committee on education.

By Mr. Huston: petition of David P. Harrison and 23 others, citizens of Fair Grove, Tuscola county, asking for a State swamp land road from Bay City to Lapeer, by the way of Caro, Tuscola county;

Also: petition of Wm. Dolph, J. W. Dolph, Wm. R. Woodman and 57 others, citizens of Ackron, Tuscola county, for the same purpose;

Also: petition of J. W. Spencer and 40 others, citizens of Indian Fields, Tuscola county, for the same purpose;

Also: petition of A. P. Cooper, B. F. Richards and 43 others, citizens of Indian Fields, Tuscola county, for the same purpose;

Also: petition of John Francis, D. E. Cranston and 41 others, citizens of Fair Grove, Tuscola county, for the same purpose.

Referred to the committee on public lands.

By Mr. Wendell: petition of M. L. Mills, F. Buhl & Co., and 33 others of the State, asking that the laws for the protection of game be amended.

Referred to the committee on State affairs.

By Mr. Kingsley: remonstrance of S. D. Noble and 63 others, citizens of Ann Arbor, against the repeal of the law of 1855, creating a chair of homeopathy in the State University, and all other laws and parts of laws upon that subject;

Also: remonstrance of C. Z. Shopman and 63 others, citizens of Chelsea, against the same;

Also: remonstrance of R. G. Taylor, A. D. Crane and 120 others, citizens of Ann Arbor, against the same.

Referred to the committee on education.

By Mr. Holt: petition of Theodore B. Wilcox, M. W. Lloyd, M. S. Burdge and 10 others, citizens of Millville, Muskegon county, praying for the passage of a bill changing the name of the village of Millville, to Bluffton.

Referred to the committee on State affairs.

By Mr. Sanford: petition of G. N. Walker, T. F. Powers, Thos. Humphrey, citizens of Meridian, Ingham county, asking for the passage of a law authorizing municipal aid to the Howell and Lansing railroad.

Referred to the committee on internal improvements.

By Mr. Curry: petition of E. R. Clark and 67 others, residents of Genesee county, asking for the repeal of the law creating the office of county superintendent of schools.

Referred to the committee on education.

By Mr. Curry: petition of James C. Stoddard and 68 others, asking the repeal of the law creating county drain commissioners.

Referred to the committee on drainage.

By Mr. Klein: petition of 475 citizens of Detroit, for the repeal of sections 1588, 1589 and 1590, of the compiled laws, relative to keeping billiard tables for hire, or that such sections be so amended that licences may be granted therefor;

Also, petition of 94 citizens of Ohio, for the same purpose;

Also, petition of 398 citizens of Tecumseh, for the same purpose;

Also, petition of 62 citizens of Kalamazoo, for the same purpose;

Also, petition of 75 citizens of Midland, for the same purpose;

Also, petition of 36 citizens of Union City, for the same purpose;

Also, petition of 84 citizens of Saranac, for the same purpose;

Also, petition of 44 citizens of Romeo, for the same purpose;

Also, petition of 9 citizens of Eaton Rapids, for the same purpose;

Also, petition of 240 citizens of Ionia, for the same purpose;

Also, petition of 99 citizens of Lapeer, for the same purpose;

Also, petition of 46 citizens of Norvell, for the same purpose;

Also, petition of 51 citizens of Vassar, for the same purpose;

Also, petition of 60 citizens of Middleville, for the same purpose;

Also, petition of 108 citizens of Utica, for the same purpose;

Also, petition of 52 citizens of Coldwater, for the same purpose;

Also, petition of 197 citizens of Hudson, for the same purpose;

Also, petition of 33 citizens of Orion, for the same purpose;

Also, petition of 34 citizens of Dansville, for the same purpose;

Also, petition of 29 citizens of Carrollton, for the same purpose;

Also, petition of 21 citizens of Dexter, for the same purpose;

Also, petition of 56 citizens of Linden, for the same purpose;

Also, petition of 44 citizens of Three Rivers, for the same purpose.

The several petitions were referred to the committee on State affairs.

By Mr. Sanford: memorial of A. V. Demarsh and Ephraim Potter, of the township of Onondaga, praying the Legislature to pass an act legalizing the action of said township, in locating the site for a bridge about being built over Grand river, in said township, by the highway commissioners.

Mr. Sanford moved that the memorial be ordered printed in the journal;

Which motion did not prevail.

The memorial was referred to the committee on roads and bridges.

By Mr. Wendell: petition of John Beeker, H. W. Overall, Matthew Geary and 182 others, citizens of Mackinac county, praying that the Legislature call the attention of Congress to the necessity of improving Mackinac Harbor.

On motion of Mr. Wendell,

The petition was referred to the committee on federal relations, and was ordered printed in the journal.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

*Whereas, The Harbor on the Island of Mackinac has been filling up for some years past, and if nothing is done to prevent the same, threatens to fill up more and more every year;*

*Therefore, we, the undersigned, citizens of the county of Mackinac, do most respectfully solicit your Honorable bodies to use your influence with our Representatives in Congress to get an appropriation from the general government for the improvement of said harbor.*

And your petitioners will ever pray, &c.

MACKINAC, January 25th, 1869.

By Mr. Slayton: memorial of John W. Fallass, in regard to roads in parallel directions across wild lands, becoming legal highways by prescription.

Referred to the committee on roads and bridges.

By Mr. Slayton: memorial of J. Q. Patterson, asking a re-

hearing before the committee on banks and incorporations, of the matter of the incorporation of the village of Ovid.

Referred to the committee on banks and incorporations.

By Mr. McCowen: remonstrance of M. Morabacker, Warren Jackson, E. Thornton and 58 others, citizens of Litchfield, Hillsdale county, against the repeal of the law of 1855, creating a chair of homeopathy in the State University, and all laws and parts of laws upon that subject.

Referred to the committee on education.

By Mr. R. V. Briggs: petition of Samuel L. Potter, Sylvester Pray, O. T. Brinton, A. J. Folger and 57 others, asking the passage of a law to provide for the incorporation of skating parks or rinks.

Referred to the committee on banks and incorporations.

By Mr. Hurlbut: petition of Wm. Pettengill, N. B. McKinney, G. D. Johnson and 174 others, citizens of Lawton, asking that the bill now before the House for the incorporation of said village, be so amended as to extend the corporate limits of said village.

Referred to the committee on banks and incorporations.

By Mr. Hartson: petition of Henry Whiting, Fred. A. Blood, Wm. Grace and 49 others, citizens of St. Clair county, for the passage of a bill granting a State bounty to soldiers enlisting in the year 1864.

Referred to the committee on military affairs.

By Mr. Hurlbut: petition of the president and officers of the village of Paw Paw, asking for amendments to sections 2, 12, and 22, of act 519, of the session laws of 1867, entitled "An act to incorporate the village of Paw Paw."

Referred to the committee on banks and incorporations.

By Mr. Purcell: petition of B. Hubbard and 12 others, property owners on the line of Fort street, in the township of Springwells, Wayne county, praying for the appointment of a board for the improvement of said street.

Referred to the committee on banks and incorporations.

By Mr. Wagner: petition of Ransom J. Putnam and Theodore

S. Riley, asking for the passage of a law whereby they may obtain a State bounty.

Referred to the committee on military affairs.

By Mr. B. Clark: remonstrance of S. Henderson, E. C. Wilber and 156 others, of Albion, Calhoun county, against the repeal of the law of 1855, creating a chair of homeopathy in the State University, and all other laws upon that subject.

Referred to the committee on education.

By Mr. Wagner: remonstrance of Leander Ethridge and 34 others, citizens of Battle Creek, against the repeal of the law of 1855, creating a chair of homeopathy in the State University, and all laws and parts of laws upon that subject.

Referred to the committee on education.

By Mr. Grant: remonstrance of C. S. Burton and 55 others, of Barry county, against the repeal of the law of 1855, creating a chair of homeopathy in the State University, and all laws and parts of laws upon that subject.

Referred to the committee on education.

By Mr. Sanford: remonstrance of Dr. W. S. Whitney, J. S. Harris, E. R. Merrifield and 36 others, citizens of Lansing, against the repeal of the law of 1855, establishing a chair of homeopathy in the State University, and all other laws and parts of laws upon that subject.

Referred to the committee on education.

By Mr. Hunt: petition G. D. Stockwell and 230 others, citizens of township No. 1 north, of range No. 3 west, or the south half of the organized town of Eaton Rapids, Eaton county, asking that said south half of said township of Eaton Rapids be set off and organized into a new township.

Referred to the committee on towns and counties.

By Mr. Harris: petition of Moses W. Field, Geo. S. Tarbell, L. B. Willard, Thos. R. Cummings and 100 others, of Detroit, for an apprentice law.

Referred to the committee on State affairs.

By Mr. Curry: petition of G. E. Taylor and 47 others, asking

an amendment to the constitution, by striking out the word "white," wherever the same occurs.

Referred to the committee on the judiciary.

By Mr. Davis: remonstrance of J. L. Tower, S. Tower and 13 others, citizens of the town of Oakfield, Kent county, against repealing the act creating the chair of homeopathy in the State University;

Also: remonstrance of C. C. Miller, R. Ashley and 15 others, citizens of Grattan, Kent county, against the same.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district number four, in the township of Mason, in the county of Cass, to issue bonds and borrow money to build a school-house in said district,

Together with a petition asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

#### COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

STATE TREASURER'S OFFICE, }  
Lansing, Feb. 9, 1869. }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution of the House, adopted on the 29th ult., I have the honor to report herewith, "the entire amount of money appropriated and paid to the State Agricul-



tural Society, out of the treasury, since the organization of said society."

|                                  | DATE. | AMOUNT PAID.   |
|----------------------------------|-------|----------------|
| Appropriated by Act No. 197..... | 1849, | \$ 800         |
| " " 75.....                      | 1851, | 2,000          |
| " " 98.....                      | 1853, | 2,000          |
| " " 97.....                      | 1855, | 4,000          |
| " " 155.....                     | 1857, | 4,000          |
| " " 149.....                     | 1859, | 5,000          |
| " " 3 Ex. Sess.,.....            | 1861, | 2,000          |
| " " 183.....                     | 1863, | 950            |
| " " —.....                       | 1864, | 950            |
|                                  |       | <hr/> \$21,700 |

Very Respectfully,

E. O. GROSVENOR,

*State Treasurer.*

The communication was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 34, entitled

A bill to create a soldiers' aid fund for disabled Michigan soldiers, sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States;

2. Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Bloomfield, in the county of Oakland, for the year 1868;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on military affairs.

The second named bill was read a first and second time by its title, and

On motion of Mr. Vowles,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Baxter moved to amend by inserting before the word "continued," in section two, the words "revived and;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Shaw,    |
| Avery,        | Huston,         | Sheldon,     |
| Barnaby,      | Hutchinson,     | Shier,       |
| Baxter,       | Ingersoll,      | Sickels,     |
| Blake,        | F. G. Kendrick, | Slayton,     |
| Bostwick,     | Kingalev,       | F. L. Smith, |
| Boynton,      | Klein,          | R. B. Smith, |
| G. G. Briggs, | Lane,           | Snell,       |
| R. V. Briggs, | Lee,            | Stannard,    |
| Brownell,     | Lovell,         | Stewart,     |
| Cameron,      | Mandigo,        | Stockbridge, |
| B. Clark,     | McCowen,        | Swift,       |
| O. Clark,     | McKernan,       | Ternes,      |
| Cogahall,     | Mead,           | Thompson,    |
| Crane,        | Miles,          | Vowles,      |
| Crossman,     | Miller,         | Wagner,      |
| Curry,        | Millington,     | Walker,      |
| Davis,        | Mitchell,       | Walton,      |
| Eaton,        | Murray,         | Ward,        |
| Eck,          | Newman,         | Weier,       |

|           |           |                 |
|-----------|-----------|-----------------|
| Elliott,  | Norton,   | Wendell,        |
| Fenner,   | Osborn,   | Westover,       |
| Gay,      | Plimpton, | White,          |
| Gifford,  | Putnam,   | Wilcox,         |
| Goodrich, | Riford,   | H. G. Williams, |
| Grant,    | Riopelle, | J. A. Williams, |
| Harris,   | Romeyn,   | W. D. Williams, |
| Hartson,  | Rowison,  | Woodard,        |
| Holt,     | Sanford,  | Yawkey,         |
| Hubbard,  | Seward,   | Speaker,        |
| Hunt,     |           |                 |

91

NAYS.

0

Title agreed to.

On motion of Mr. Vowles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 28, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the following shall stand as Rule 14, of joint rules:

**RULE 14.**—Any person (whether the chairman of a committee or otherwise) introducing a bill to amend any statute, shall enclose in brackets such part or parts of it as shall add matter thereto, and when it is proposed to amend any statute by striking out, he shall designate the same by three stars for each portion so omitted, and be so printed;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Miller,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 32, entitled

A bill to amend act No. 147, of session laws of 1865, being an act entitled "An act to amend section 17, of chapter 67, being section 1961 of the compiled laws, relative to the rates of fare on short railroads;"

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 13, entitled

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate;

In the passage of which the Senate has not concurred.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. Crossman,

The bill was laid on the table.

Mr. Ingersoll, unanimous consent being given, offered the following:

*Resolved*, That the use of this Hall be tendered to the Republican State Convention, which meets at eleven o'clock to-day;

Which was adopted.

On motion of Mr. Ingersoll,

The House took a recess until this afternoon at 3 o'clock.

—  
AFTERNOON SESSION.

3 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to prevent frauds in advertising;

Also,

A bill to change the name of Cornelia Elizabeth Harmon to Cornelia Elizabeth Brooks;

Also,

A bill to amend sections 10 and 17, of act No. 173, of the session laws of 1861, being an act relative to laying out, altering and discontinuing highways;

Also,

A bill to change the name of Albert Jennings, Jr., to Albert Spear Hitchcock, and to make him the heir of John S. Hitchcock and Elizabeth P. Hitchcock.

Mr. Riford gave notice that on some future day he would ask leave to introduce

A bill to re-incorporate the village of Benton Harbor.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill to declare the boundaries of school districts in the township of Ishpaning, in the county of Marquette.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

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Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

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Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to provide for the formation of joint stock companies, for the purpose of owning property and maintaining skating parks or rinks.

Mr. Stockbridge gave notice that on some future day he would ask leave to introduce

A bill to legalize the special township meeting of the township of Saugatuck, in the county of Allegan, held in said township, January 22, A. D. 1869.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to regulate fire, marine, life and health insurance companies, doing business, not incorporated by the State of Michigan," of session laws of 1857.

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to amend section one, of act No. 186, of the session laws of 1867, entitled "An act to authorize dissection in certain cases, for the advancement of science."

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to enable the highway commissioners to equalize the taxes on highways in the State of Michigan;

Also,

A bill to amend section 17 of an act entitled an act relative to laying out, altering and discontinuing highways, approved March 15th, 1861.

Mr. Westover gave notice that on some future day he would ask leave to introduce

A bill to organize the county of Alcona, and to attach certain unorganized territory thereto;

Also,

A bill to change certain territory in the county of Saginaw and attach the same to the county of Bay.

Mr. Brownell gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the school inspectors of Mara-

then, in the county of Lapeer, in organizing school district No. 6, in said township.

Mr. Brownell gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Mayfield, in Lapeer county.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the land donated to the State of Michigan, by act of Congress, approved July 2d, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18th, 1863;

Also,

A bill to amend section one, of act No. 21, of the session laws of 1861, entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases."

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for a further appropriation of money to complete the breakwater at Marquette, on Lake Superior.

Mr. Purcell gave notice that on some future day he would ask leave to introduce

A bill for the better protection of mechanics and laborers;

Also,

A bill to amend section two of an act to incorporate the Detroit and Saline Plank Road Company, approved March 23, 1848.

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Cambridge, in the county of Lenawee, to raise by tax, certain moneys for the relief of Andrew Ayres, the treasurer of said town.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend section 569, of the compiled laws, in reference to the bonds of township treasurers.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to amend section three of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30, 1869;

Also,

A bill to amend section 4751, of the compiled laws, in relation to attachments.

Mr. R. B. Smith gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Portland, in Ionia county.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to amend an act entitled 'an act to provide for assessing property at its true value, and for levying and collecting taxes thereon,' approved Feb. 14, 1853, and an act amendatory thereto, approved Feb. 12, 1855," as amended by act No. 32, of the session laws of 1858.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

Joint resolution authorizing the swamp lands granted by the Legislature for the construction of the Ontonagon and State line State road, to be used in building two roads from Ontonagon, southerly.

Mr. Osborn gave notice that on some future day he would ask leave to introduce

A bill to amend section 4342, of the compiled laws, as the same stands amended by act No. 125, of the session laws of 1861.

Mr. Woodard gave notice that on some future day he would ask leave to introduce

A bill to legalize the "Milan Union Church."

## INTRODUCTION OF BILLS.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of the township of Marquette, in the county of Marquette, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Baxter, previous notice having been given, and leave being granted, introduced

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to amend section 1 of an act entitled "An act rendering persons disqualified for sitting as jurors in certain cases," approved March 27th, 1867, being act number 129, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Bostwick, previous notice having been given, and leave being granted, introduced

A bill to enlarge the corporate limits, and to incorporate the village of Union City, under a special charter.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress for an appropriation of money to improve Portage Lake and river, in Houghton county.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Portsmouth.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Sheldon, previous notice having been given, and leave being granted, introduced

Joint resolution for the relief of Alanson Holbrook.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill to amend section 24, of chapter 140, of revised statutes of 1846, being section 5384, of compiled laws, relative to limitation of actions, and to repeal act No. 30, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. F. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend act 273, of the session laws of 1865, it being an act entitled "An act to amend section 821," it being also section 39 of chapter 17, compiled laws, relative to the payment of taxes to township treasurers.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Crane, previous notice having been given, and leave being granted, introduced

A bill to provide for the payment of Porter L. Swords, of the city of Adrian, Lenawee county, for furnishing money to certain volunteers credited to the township of Woodstock, in said county, to aid in the suppression of the rebellion.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ternes, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Stewart, previous notice having been given, and leave being granted, introduced

A bill to amend section 37, of chapter 17, of the revised statutes of 1857, being section 819 of compiled laws, relative to the duties of township treasurers.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

#### THIRD READING OF BILLS.

House bill No. 27, entitled

A bill to define the powers and duties of highway commissioners in certain cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hutchinson, | Mr. Sheldon,    |
| Baxter,       | Ingersoll,      | Shier,          |
| Blake,        | F. G. Kendrick, | Sickels,        |
| Bostwick,     | Kingsley,       | Slayton,        |
| R. V. Briggs, | Klein,          | Snell,          |
| Brownell,     | Lane,           | Stewart,        |
| Cameron,      | McCowen,        | Swift,          |
| B. Clark,     | McKernan,       | Ternes,         |
| O. Clark,     | Norton,         | Thompson,       |
| Crossman,     | Osborn,         | Vowles,         |
| Elliott,      | Purcell,        | Wagner,         |
| Fenner,       | Putnam,         | Weier,          |
| Gay,          | Riford,         | Wendell,        |
| Goodrich,     | Rowlson,        | Wilcox,         |
| Grant,        | Sanford,        | H. G. Williams, |

Harris,  
Hubbard,  
Hunt,

Seward,  
Shaw,

W. D. Williams,  
Speaker,  
52

# NAYS.

Mr. Avery,  
Barnaby,  
Boynton,  
G. G. Brigga,  
Crane,  
Eaton,  
Eck,  
Gifford,  
Hartson,  
Holt,  
Horton,

Mr. Huston,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
Miles,  
Millington,  
Newman,  
Riopelle,  
Romeyn,

Mr. F. L. Smith,  
R. B. Smith,  
Stockbridge,  
Walker,  
Walton,  
Westover,  
White,  
J. A. Williams,  
Woodard,  
Yawkey,

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Mr. Yawkey moved that Mr. Vowles be excused from voting;  
Which motion did not prevail.

Mr. Vowles then voted as recorded above.

The title was agreed to.

House bill No. 35, entitled

A bill to amend an act entitled "An act to extend aid to the  
University of Michigan,"

Was read a third time, and pending the taking of the vote on  
the passage thereof,

Mr. Ingersoll moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The Clerk called the roll of the House, and Messrs. Cogshall,  
Curry, Davis, Dusseau, Fuller, Miller, Mitchell, Murray, Plimp-  
ton, Stannard and Ward, were reported absent without leave.

Mr. Swift asked and obtained leave of absence for the special  
committee to investigate the affairs of the Detroit and Milwan-  
kee railroad, consisting of Messrs. Ward, Cogshall, Plimpton,  
Curry and Miller.

Mr. B. Clark asked and obtained leave of absence for Mr.  
Mitchell, for the day.

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with.



Mr. Baxter moved to amend the bill by adding thereto a new section, to stand as section 2, and to read as follows:

Sec. 2. The amount of \$15,000 for the year 1859, and each subsequent year thereafter, shall be levied, assessed and collected, as a special tax, to provide for the aid to the University, provided in this act, at the same time and in the same manner as other State taxes are levied, assessed and collected;

Which was not agreed to.

Mr. Slayton moved to recommit the bill to the committee on education, with instructions to incorporate therein the amendment proposed by Mr. Baxter, and to report forthwith;

Which motion did not prevail.

Mr. Ingersoll moved to make the bill the special order for Thursday afternoon, at 2 o'clock;

Which motion did not prevail.

Mr. Holt moved to recommit the bill to the committee on education;

Mr. Cameron moved, as a substitute, to refer the bill to the committee on ways and means;

Which motion did not prevail.

The motion to recommit the bill to the committee on education was then agreed to.

#### MOTIONS AND RESOLUTIONS.

Mr. Ashley moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to authorize school district No. 4, in the township of Mason, in the county of Cass, to issue bonds and borrow money to build a school house in said district;

Which motion prevailed.

On motion of Mr. Ashley,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

| Mr. Ashley,   | Mr. Hunt,       | Mr. Seward      |
|---------------|-----------------|-----------------|
| Avery,        | Hurlbut,        | Shaw,           |
| Barnaby,      | Huston,         | Sheldon,        |
| Baxter,       | Hutchinson,     | Shier,          |
| Blake,        | Ingersoll,      | Sickels,        |
| Bostwick,     | F. G. Kendrick, | Slayton,        |
| Boynton,      | Kingsley,       | F. L. Smith,    |
| G. G. Briggs, | Klein,          | R. B. Smith,    |
| R. V. Briggs, | Lane,           | Snell,          |
| Brownell,     | Lee,            | Stannard,       |
| Cameron,      | Lovell,         | Stewart,        |
| B. Clark,     | Mandigo,        | Stockbridge,    |
| O. Clark,     | Mason,          | Swift,          |
| Cogshall,     | McCowen,        | Ternes,         |
| Crane,        | McKernan,       | Thompson,       |
| Crossman,     | Mead,           | Vowles,         |
| Curry,        | Miles,          | Wagner,         |
| Davis,        | Miller,         | Walker,         |
| Eck,          | Millington,     | Walton,         |
| Elliott,      | Murray,         | Ward,           |
| Fenner,       | Newman,         | Weier,          |
| Gay,          | Norton,         | Wendell,        |
| Gifford,      | Osborn,         | White,          |
| Goodrich,     | Plimpton,       | Wilcox,         |
| Grant,        | Purcell,        | H. G. Williams, |
| Harris,       | Putnam,         | J. A. Williams, |
| Hartson,      | Riford,         | W. D. Williams, |
| Holt,         | Riopelle,       | Woodard,        |
| Horton,       | Rowlson,        | Yawkey,         |
| Hubbard,      | Sanford,        | Speaker, 90     |
|               | NAYS.           | 0               |

Title agreed to.

On motion of Mr. Plimpton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Ingersoll moved to discharge the committee of the whole from the further consideration of House bill No. 46, entitled

A bill to incorporate the village of Ovid;

Which motion prevailed.

On motion of Mr. Ingersoll,

The bill was recommitted to the committee on banks and incorporations.

Mr. Holt moved to discharge the committee of the whole from the further consideration of House joint resolution No. 7, entitled

Joint resolution asking Senators and Representatives in Congress, from Michigan, to urge the speedy erection of a light house at the mouth of the Manistee river, in the county of Manistee;

Which motion prevailed.

On motion of Mr. Holt,

The joint resolution was placed on the order of third reading.

Mr. Ward offered the following:

*Resolved*, That the special committee on the D. and M. R. R. affairs, be authorized to employ a clerk, at a *per diem* not to exceed three dollars;

Which was adopted.

Mr. Snell offered the following:

*Resolved*, That the committee on education be and the same are hereby instructed to inquire into the expediency of so amending the primary school law, as to provide that all moneys accruing from the primary school fund, and from the two-mill tax, shall be disbursed in proportion to the number of days of actual attendance at school, of children within school age;

Which was not adopted.

Mr. Baxter moved to discharge the committee of the whole from the further consideration of House bill No. 52, entitled

A bill to authorize and encourage the formation of corporations, to establish rural cemeteries, and to provide for the care and maintenance thereof;

Which motion prevailed.

On motion of Mr. Baxter,

The rules were suspended, and the bill was put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ingersoll moved to amend by inserting before the word "festival," in line 3, of section 11, the word "sporting;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Sheldon,    |
| Avery,        | Huston,         | Shier,          |
| Barnaby,      | Hutchinson,     | Sickels,        |
| Baxter,       | Ingersoll,      | Slayton,        |
| Blake,        | F. G. Kendrick, | F. L. Smith,    |
| Bostwick,     | Kingsley,       | R. B. Smith,    |
| Boynton,      | Lane,           | Snell,          |
| G. G. Briggs, | Lee,            | Stannard,       |
| R. V. Briggs, | Lovell,         | Stewart,        |
| Brownell,     | Mandigo,        | Stockbridge,    |
| Cameron,      | Mason,          | Swift,          |
| B. Clark,     | McCowan,        | Ternes,         |
| O. Clark,     | McKernan,       | Thompson,       |
| Crane,        | Mead,           | Vowles,         |
| Crossman,     | Miles,          | Wagner,         |
| Davis,        | Millington,     | Walker,         |
| Eck,          | Murray,         | Walton,         |
| Elliott,      | Newman,         | Weier,          |
| Fenner,       | Norton,         | Wendell,        |
| Gay,          | Osborn,         | Westover,       |
| Gifford,      | Purcell,        | White,          |
| Goodrich,     | Putnam,         | Wilcox,         |
| Grant,        | Riford,         | H. G. Williams, |
| Harris,       | Riopelle,       | J. A. Williams, |
| Hartson,      | Romeyn,         | W. D. Williams, |
| Holt,         | Rowlson,        | Woodard,        |
| Horton,       | Sanford,        | Yawkey,         |
| Hubbard,      | Seward,         | Speaker,        |
| Hunt,         | Shaw,           |                 |

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## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. G. G. Briggs moved to discharge the committee of the whole from the further consideration of Senate manuscript bill, entitled

A bill to authorize the First Baptist Church and Society, and the Second Baptist Church and Society, of the city of Grand

Rapids, to unite and consolidate with, and vest their property in, "the Baptist Church and Society of the city of Grand Rapids;"

Which motion prevailed.

On motion of Mr. G. G. Briggs,

The bill was placed on the order of third reading.

Mr. Crossman offered the following:

*Resolved*, That the rule 58 of the House be amended so as to read as follows:

58. The rules of parliamentary practice comprised in Cushing's "Law and Practice of Legislative Assemblies," shall govern in all cases in which they are not inconsistent with the standing rules and orders of the House.

Mr. Yawkey moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

Mr. Wilcox moved that the House go into committee of the whole on the general order.

On motion of Mr. Sanford,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Thursday, February 11, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Haven.

Roll called: quorum present.

Absent without leave: Messrs. Dussean, Goodrich and Sickels.

Mr. Hutchinson asked and obtained leave of absence for Mr. Goodrich, for the day, on account of sickness.

Mr. Millington asked and obtained leave of absence for Mr. Sickels, for an indefinite time, on account of sickness.

The Speaker announced the following:

CITY OF FLINT, Feb. 9, 1869.

*To the Hon. the Speaker, Members and Officers of the House of Representatives of the State of Michigan:*

The undersigned having been appointed by the common council of this city, a committee for that purpose, have the honor to extend to you the invitation of the council to visit our city, in company with the Hon. members of the Senate and State officers, on the 26th instant.

The hospitalities of the city are tendered, and in behalf of the council and citizens generally, we shall be glad to welcome you to our city as its guests.

Hoping that this invitation will be accepted, we have the honor to subscribe ourselves,

Your ob'dt serv'ts,

SAM'L M. AXFORD, *Mayor*,

HENRY H. CRAPO,

WM. M. FENTON,

J. B. WALKER.

On motion of Mr. Yawkey,

The invitation was accepted by the House.

Mr. Crossman, by unanimous consent, moved to take from the table the following proposition to amend rules 7, 27 and 53 of the House, reported by the committee on rules and joint rules:

RULE 7. He shall distinctly put all questions in this form, to-wit: "As many as are in favor of, [*as the question may be*,] say aye;" and after the affirmative voice is expressed, "As many as are opposed, say no." If the Speaker doubt, or a division be called for, the House shall divide—those voting in the affirmative shall first rise from their seats, afterwards, those in the negative.

RULE 27. A motion to adjourn shall always be in order; that, and the motion to lie on the table, to postpone indefinitely, and all motions relating to questions of order, shall be decided without debate.

**RULE 53.** On the third reading of all bills or joint resolutions, which have been considered in the committee of the whole, no amendments shall be made thereto without the assent of two-thirds of all the members elect, unless such bills or joint resolutions have been recommitted. When bills or joint resolutions shall be placed on the order of third reading, or their final passage, without having been considered in committee of the whole, amendments shall be in order after the reading of such bills or joint resolutions, and prior to their passage, and may be adopted by a majority vote;

Which motion prevailed.

On motion of Mr. Baxter,

The rules were adopted.

#### PRESENTATION OF PETITIONS.

By Mr. Fuller: petition of J. J. Whitfield and 49 others, citizens of Mecosta county, asking that the teaching of homeopathy be provided for in the State University, and remonstrating against the repeal of the laws of 1855 and 1867, in relation thereto.

Referred to the committee on education.

By the same: petition of D. B. Lynch and 25 others, for the organization of a new township in the county of Mecosta, to be called "Colfax."

Referred to the committee on towns and counties.

By Mr. Boynton: petition of J. B. Tuttle, G. S. Lester, W. M. Sutton and 57 others, citizens of Alpena county, asking for an amendment to act No. 246, of the session laws of 1867, being an act entitled "An act to connect the Duncan, Alpena and Au Sauble river State road with the East Saginaw and Sauble river State road."

Referred to the committee on public lands.

By the same: remonstrance of Peter Boss, Elijah Haynes, Fred. Carle and 19 others, citizens of the townships of Harrisonville and Alcona, against the organization of a new county, to be formed out of the counties of Alcona and Osceola.

Referred to the committee on towns and counties.

By Mr. Norton: petition of H. Ernest, A. W. Taylor, Wm. Hathaway, J. G. Westover and 56 others, citizens of Ottawa county, asking for the taxing of non-resident lands in said county, for the purpose of constructing a State road, running from Nunica, in the county of Ottawa, to the city of Muskegon, in Muskegon county.

Referred to the committee on local taxation.

By Mr. Stockbridge: petition of Timothy McDowell, Crosby Eaton and 9 others, to change the name of the township of Casco, in Allegan county, to Baldwin.

Referred to the committee on State affairs.

By Mr. Hubbard: remonstrance of O. H. Holcomb and 16 others, citizens of Jackson, against the repeal of the law of 1855, creating a chair of homeopathy in the University, and all laws or parts of laws relating thereto.

Referred to the committee on education.

By Mr. Crossman: remonstrance of C. B. Watkins and 39 others, citizens of Lansing, Ingham county, against the repeal of the act of 1855, creating a chair of homeopathy in the State University, and all other acts and parts of acts relating thereto;

Also: remonstrance of Harvey Morehouse and 39 others, citizens of Lansing, for the same purpose.

Referred to the committee on education.

By Mr. Hartson: petition of M. F. Carleton, W. A. Parsons, Wm. Black and 16 others, citizens of St. Clair county, for the passage of a law granting a State bounty to soldiers enlisting in the year 1864.

Referred to the committee on military affairs.

By Mr. Curry: remonstrance of J. N. Eldridge, E. A. Thompson, and 180 other citizens of Flint, Genesee county, against the repeal of the act of 1855, creating a chair of homeopathy in the State University, and all other acts and parts of acts relating thereto;

Also: remonstrance of W. J. Kent, Alvin Pratt and 50 others, citizens of Flint, for the same purpose;



Also: remonstrance of John Malcom and 52 other citizens of Flint, for the same purpose.

Referred to the committee on education.

By Mr. Barnaby: petition of Frederick Schemer and 90 others, of Clinton county, asking for a change of part of the line of the Alma and Clinton State road, and provisions for its completion.

Referred to the committee on public lands.

By Mr. Miles: remonstrance of James Beard and others, against a division of Alpena county, as it now exists.

Referred to the committee on towns and counties.

By Mr. Thompson: petition of G. T. Rand, A. B. Coulter, and 114 other citizens of Eaton county, asking the Legislature to provide the means for adequately teaching Homeopathy in the University of Michigan.

Referred to the committee on education.

By Mr. Barnaby: petition of Isaac Hewitt and 90 other citizens of Clinton county, asking for a change of a part of the line of the Alma and Clinton State road, and provisions for its completion.

Referred to the committee on public lands.

By Mr. Fuller: petition of John C. Burgess and 56 others, for a State road from Mecosta county line, to Traverse city.

Referred to the committee on public lands.

By Mr. Boynton: petition of Daniel Carter, J. H. Stevens and 42 others, citizens of Alpena county, asking that the northern part of the counties of Iosco, Ogemaw, and the southern part of the county of Alcona, be set off and organized into a separate county, to be called the county of Calumet.

Referred to the committee on towns and counties.

By Mr. Fuller: petition of Augustine N. Williams, Katherine Williams and Percival J. Norton, for changing the name of Percival J. Norton to Percival J. Williams.

Referred to committee on State affairs.

By Mr. Fenner: petition of William Anderson and others, of Lexington, Sanilac county, asking for the repeal of an act

passed in 1855, requiring the Regents of the State University to maintain a professor of homeopathy in said University.

Referred to the committee on education.

By Mr. Fuller: remonstrance of Martin Simms and 12 others, against the organization of Osceola county;

Also: remonstrance of John W. Perkins and 38 others, for the same purpose;

Also: remonstrance of J. W. Aah and 6 others, for the same purpose;

Also: remonstrance of Samuel K. Marsh and 27 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Gay: petition of Geo. W. Palmerston, A. H. Benedict, R. Fowler and 87 others, citizens of Livingston county, asking an appropriation of swamp lands for the improvement of swamp lands along the banks of Cedar river, in the township of Handy.

Referred to the committee on public lands.

By Mr. Miller: remonstrance of J. H. Connor, R. P. Eldridge and 170 others, citizens of the townships of Clinton and Harrison, in the county of Macomb, against the passage of a law authorizing said townships to vote aid for dredging Clinton river.

Referred to the committee on local taxation.

By Mr. Westover: petition of Weston, Colwell & Co., George Colwell, George Rutson, Wm. Noyes and 208 others, for the organization of the county of Alcona, and praying that the unorganized county of Oscoda be attached thereto.

Referred to the committee on towns and counties.

By Mr. Westover: petition of John C. Schmidt, J. F. Mueller and 73 others, to detach certain territory from the county of Saginaw, and that it be attached to the county of Bay;

Also: petition of John Wood, Martin Powell and 15 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Miles: memorial of the "Lapeer and Port Huron

plank road company," asking for the passage of a law authorizing them to charge additional tolls upon their road;

Also: petition of R. Jones and 46 others, for the same purpose;

Also: petition of James Smith and 29 others, for the same purpose;

Also: petition of Charles Brockway and 29 others, for the same purpose;

Also, petition of F. A. Beard and 29 others, for the same purpose;

Also: petition of Moses Moon and 36 others, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Miles: petition of O. Hillgore and 43 others, citizens of St. Clair county, asking for the payment of State bounties to soldiers who enlisted in the year 1864, and did service for their country in the late rebellion.

Referred to the committee on military affairs.

By Mr. Clark: remonstrance of C. F. Parker, W. V. Morrison, and 150 others, tax-payers of the townships of Albion and Sheridan, county of Calhoun, against any action of the Legislature of the State of Michigan, in legalizing the action of the board of school inspectors of said townships in the organization of school district number 1, fractional, of Albion and Sheridan, in said county.

Referred to the committee on education.

By Mr. Walker: petition of A. V. Monroe, C. P. Deming, James Lewis and 67 others, of the township of Cooper, asking for a grant of land to build a bridge over the Kalamazoo river, in said township.

Referred to the committee on public lands.

By Mr. Fuller: petition of S. R. Marsh and 10 others, for a State road from Mecosta county line to Traverse City.

Referred to the committee on public lands.

By Mr. Snell: petition of F. Crawford and 29 others, asking for a grant of swamp lands to aid in the construction of a road,

to run in a south-easterly direction, from Caseville, in the county of Huron, to the Sand Beach and Bay City State road, in said county of Huron.

Referred to the committee on public lands.

By Mr. Stewart: petition of H. J. Pullen, Wm. Hale, S. R. Kingale, Sr., and 41 others, praying for the repeal of the law establishing superintendents of common schools.

Referred to the committee on education.

By Mr. Avery: petition of E. H. Striker, C. Reynolds, Hiram Hull and 100 others, citizens of Montcalm county, praying for the laying out of a State road from the village of St. Louis, county of Gratiot, to the village of Newaygo, county of Newaygo, via Knottmall, in Montcalm county.

Referred to the committee on public lands.

By Mr. Lane: remonstrance of Hon. W. A. Clark and 136 others, citizens of Saginaw city, against the repeal of the act of 1855, creating a chair of homeopathy in the State University, and all other laws in reference thereto.

Referred to the committee on education.

By Mr. Hurlbut: petition of B. H. Dyckman, M. Lyle, G. H. Seiver and 41 others, citizens of South Haven, asking for the passage of a law to authorize said township to vote aid to railroads.

Referred to the committee on internal improvements.

By Mr. Millington: remonstrance of E. H. Lathrop, Wm. Langley, Milo Powell and 130 others, citizens of Three Rivers and Centerville, St. Joseph county, against the repeal of the law of 1855 creating the chair of homeopathy in the University of Michigan, and all laws and parts of laws on that subject.

Referred to the committee on education.

By Mr. McCowen: petition of G. C. Wyllis, Reuben Strait, S. R. Finch and 44 others, citizens of Hillsdale county, asking for the repeal of the law creating the office of county superintendent of schools.

Referred to the committee on education.

By Mr. Woodard: petition of M. C. Edwards and 176

others, citizens of Milan, Monroe county, for a railroad from Toledo to Saginaw, through Dundee, Milan and Andover.

Referred to the committee on internal improvements.

By Mr. Woodard: petition of B. W. Hendricks and 16 others, asking a repeal of the law of 1855, granting aid to the University, and to amend the law of 1867 on the same subject.

Referred to the committee on education.

By Mr. Wagner: remonstrance of A. A. Bancroft and 90 others, citizens of DeWitt, Clinton county, against the repeal of the act of 1855, creating a chair of Homeopathy in the State University, and all laws and parts of laws relating thereto.

Referred to the committee on education.

By Mr. Woodard: petition of R. Curtis, H. Walling, J. Hicock and 175 others, tax-payers of Dundee, Monroe county, asking to amend section 12, of chapter 12, of the compiled laws, relative to commissioners of highways.

Referred to the committee on roads and bridges.

By Mr. Clark: petition of C. B. Jocelyn, D. M. Cooper, H. M. Fitch, J. W. Sheldon, Wm. Howard and 260 others, tax-payers of Albion and Sheridan, county of Calhoun, to legalize the action of the school inspectors of the townships of Albion and Sheridan, county aforesaid, in consolidating districts formerly known as districts number one Albion, number one Sheridan and Albion, and number three Albion and Sheridan, and forming therefrom a district now known as district number one fractional, of Albion and Sheridan.

Referred to the committee on education.

By Mr. Yawkey: remonstrance of L. R. Morris and 18 others, citizens of East Saginaw, against the repeal of the act of 1855, creating a chair of Homeopathy in the State University, and all other acts and parts of acts relating thereto;

Also: remonstrance of C. C. Harris and 63 others, citizens of East Saginaw, for the same purpose;

Also: remonstrance of H. C. Driggs, N. Farnsworth and 26 others, citizens of East Saginaw, for the same purpose;

Referred to the committee on education.

By Mr. Boynton: petition of Charles Briggs, Martin McDonald and 52 others, citizens of Alpena county, asking that 8 sections out of the 100, swamp lands, heretofore appropriated for the Duncan, Alpena and Au Sauble river, and East Saginaw and Sauble river State road, be transferred from said appropriation, for the purpose of constructing a bridge across the Au Sauble river; also, asking for the passage of a law appointing Edward A. Bainbridge as a special commissioner to superintend the construction of such bridge.

Referred to the committee on public lands.

By R. B. Smith: petition of G. W. Porter and 66 others, citizens of the village of Portland, asking the incorporation of the village of Portland, in Ionia county.

Referred to the committee on banks and incorporations.

By Mr. G. G. Briggs: petition of H. M. Beebe, Samuel Miller and 60 others, citizens of the city of Grand Rapids, asking that aid may be granted to the University of Michigan, but at the same time to provide adequately for the teaching of the homeopathic system of medicine, either at the University, or by a new department to be located on the University grounds.

Referred to the committee on education.

By Mr. Curry: remonstrance of C. Roosevelt and 41 others, citizens of the city of Flint, against the repeal of the act of 1855, creating a chair of homeopathy in the State University, and all other laws and parts of laws relating thereto;

Referred to the committee on education.

By Mr. Mitchell: petition of C. H. Estis, B. Randall, J. G. Crisp and 123 others, citizens of East Bay and Whitewater townships, Grand Traverse county, asking for an appropriation of swamp lands to construct and improve the Houghton lake and Traverse Bay State roads.

Referred to the committee on public lands.

By Mr. Mitchell: petition of E. R. Smith and 29 others, citizens of the township of Benzonia, Benzie county, asking for the repeal of act 471, session laws of 1867, appropriating

certain non-resident highway taxes for the improvement of State roads.

Referred to the committee on local taxation.

By Mr. Mitchell: petition of Aaron C. Blake and 63 others, citizens of the county of Wexford, praying that said county be divided into townships.

Referred to the committee on towns and counties.

By Mr. Davis: petition of H. A. Stimson, Geo. French and 54 others, taxable inhabitants and legal voters of fractional school district number 1, of Algona, Plainfield and Cannon, Kent county, for the passage of a bill to legalize the action of said school district in issuing bonds to build a school-house.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 24, entitled

A bill to amend act No. 58, session laws of 1867, approved March 15, 1867, entitled an act to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counsel, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court, and to repeal section 2 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 28, entitled

A bill to amend act No. 202, of the session laws of 1863, approved March 20, 1863, entitled "An act to amend section 23, of the revised statutes of 1846," entitled "of offenses against public justice," the same being section 5842, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of the plat in the village of Millville, in the county of Muskegon, to Bluffton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill supplementary to "An act to provide for the incorporation of lodges and encampments of the Independent Order of Odd Fellows," approved March 15, 1865, and to add two sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,



and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means to whom was referred Senate bill No. 33, entitled

A bill transferring all moneys from the soldiers' relief fund and soldiers' home fund to the military fund,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of Ezra Hazen, J. Kingsbury, J. C. Rice, and 96 other citizens of St. Clair county, praying for the equalization of bounties to volunteer soldiers enlisting in the year 1864,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on military affairs, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the recommendation of the committee, and the bill was referred to the committee on military affairs.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 25, entitled

A bill to amend section No. 65, of chapter 58, of revised statutes of 1846, entitled of primary schools, being section 2308 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was recommitted House bill No. 35, entitled

A bill to amend an act to extend aid to the University of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, except that section two is added thereto, making the appropriation a special tax, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and pending the question of its passage,

Mr. Ingersoll offered the following as a substitute therefor:

A BILL to amend section one, of act No. 59, of the laws of 1867, entitled an act to extend aid to the University of Michigan, approved March 15, 1867, and to add a new section thereto, to stand as section two.

Sec. 1. *The People of the State of Michigan enact*, That there shall be assessed upon the taxable property of this State, in the year eighteen hundred and sixty-nine, and in each year thereafter, for the use, aid and maintenance of the University of Michigan, the sum of twenty-five thousand dollars, and that the same shall be collected and paid into the Treasury of the State, in like manner as other State taxes are by law levied, assessed and paid, which tax, when collected, shall be paid by the State Treasurer to the Treasurer of the Board of Regents of the University, in like manner as the interest on the University Fund is paid to the Treasurer of said Board.

Sec. 2. The said Board of Regents shall use said moneys as follows, and in no other manner, that is to say: Fifteen thousand dollars of said sum annually paid in may be then used for the University in such way as to them shall be deemed best, and ten thousand dollars shall be applied by them in carrying into effect the law which provides that there shall always be at least one professor of homeopathy in the department of medicine in the University, by appointing such professor or professors at the same salary as the other professors in the medical department, or in establishing a homeopathic branch of the University, to be located upon the University grounds of Ann Arbor, or elsewhere in this State, in the discretion of the Board of Regents, such branch to have a complete homeopathic faculty, with a curriculum embracing all the subjects taught in medical colleges, and to receive equal accommodations, compensations and privileges in all respects as are or shall be awarded to the other department of medicine in the University, as rapidly as the means for that purpose shall accrue under this act, or be furnished otherwise; said branch to be considered in all respects a part of the University of Michigan, and as such to issue to its graduates the University medical degree.

Sec. 3. The Treasurer of the State is hereby authorized and directed to pay over to the treasurer of the Board of Regents the money which has been paid into the Treasury, or which shall be paid in under the provisions of said act No. 59, approved March 15, 1867, to be by them appropriated as follows, and in no other way: Three-fifths to the general uses of the University, as they may deem best, and two-fifths towards the establishment and equipment of the homeopathic branch of the University of Michigan, as provided for in section two of this act.

Pending the adoption of which,

On motion of Mr. G. G. Briggs,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The question being upon the adoption of the substitute offered by Mr. Ingersoll, for House bill No. 35, entitled

A bill to amend an act entitled "An act to extend aid to the University of Michigan;"

The same was not adopted.

The question recurring upon the passage of the bill, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
B. Clark,  
O. Clark,  
Cogahall,

Mr. Holt,  
Hubbard,  
Huston,  
Hutchinson,  
Kingsley,  
Klein,  
Lee,  
Mandigo,  
Mason,  
McKernan,  
Mead,

Mr. Shaw,  
Sheldon,  
Shier,  
Slayton,  
F. L. Smith,  
R. B. Smith,  
Snell,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,

Crossman,  
Curry,  
Eaton,  
Eck,  
Elliott,  
Gay,  
Gifford,  
Grant,  
Hartson,

Millington,  
Norton,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Sanford,

Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Speaker, 60

## NAYS.

Mr. Bostwick,  
Boynton,  
Davis,  
Fenner,  
Fuller,  
Horton,  
Hunt,  
Hurlbut,  
Ingersoll,  
Jewell,

Mr. L. Kendrick,  
Lane,  
Lovell,  
McCowen,  
Miles,  
Miller,  
Mitchell,  
Murray,  
Newman,  
Osborn,

Mr. Rowlson,  
Seward,  
Stannard,  
Wagner,  
Walker,  
Walton,  
White,  
Woodard,  
Yawkey,

29

Title agreed to.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend an act to provide for the appointment of trustees in certain cases, approved February 17th, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred the following concurrent resolution:

*Resolved,* (the House concurring,) That his Excellency the Governor, be requested to make a requisition on the Auditor

General for the sum of four thousand dollars, or so much thereof as remains unexpended, in accordance with act No. 22, session laws of 1867, and that the same be transmitted to the treasurer of the Antietam National Cemetery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be amended by striking out the word "four," in line 3, and inserting "two" in lieu thereof; also, by striking out the words "or so much thereof as remains unexpended;" and recommend that when so amended, it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE W. SWIFT, *Chairman*.

Report accepted, and leave granted the minority of the committee to report.

By the minority of the committee on federal relations:

The undersigned, a minority of the committee on federal relations, to whom was referred the concurrent resolution requesting His Excellency the Governor to make his requisition on the Auditor General for moneys heretofore appropriated for the Antietam Cemetery, &c.,

Would beg leave to report that he has had no notice of the meeting of the committee, and hence has not been present at any meeting thereof. That during the session of this House on the 10th inst., the chairman of the committee informed the undersigned that a meeting of the committee had been held on that morning, and that various matters before the committee had been considered, among which was the resolution in question, and handed the papers relative thereto to the undersigned for examination.

That he examined the same and returned them to the chairman of the committee, at the same time informing him that he approved the adoption by the House of the concurrent resolution; whereupon the chairman informed the undersigned that he had made up his mind, under instructions from the committee, to recommend an amendment to the resolution, by striking

out "four thousand dollars," and inserting "two thousand dollars" in place thereof; in which recommendation the undersigned cannot concur, for the following reasons:

The Legislature of 1867, which made the appropriation, were fully informed of the conditions of the Antietam Cemetery, with the full provisions of its charter, and all of its necessities.

That Legislature made the appropriation full, perfect and binding upon the people, as well as the officers of this State, without conditions or reservation of any kind whatever.

It was the duty of the past Executive, and is now, under that law, the positive duty of the present Executive of this State to make a requisition upon the Auditor General for the whole appropriation not expended, to be used by him in the establishment and care of the cemetery.

That unless that act shall be repealed, the present Executive is bound to draw and expend the money for the purposes mentioned, whether this resolution shall be adopted or not.

To show the reasons why the money ought to be drawn in full, and expended as the law provides, the House is hereby referred to the able joint report of Delos Phillips, chairman of the committee on military affairs, and R. Winsor, chairman of the committee on federal relations in the Senate, upon this subject—to be found on pages 215 and 216 of the Senate Journal of the present session.

The undersigned can see, nor find any good reason for withholding any part of the appropriation, and therefore recommends that the House concur in the resolution.

C. MILES,

*Of Com. on Federal Relations.*

The question being upon concurring in the recommendations of the majority of the committee on federal relations;

They were not agreed to.

The question then recurring upon the adoption of the resolution, it was adopted.

By the committee on federal relations:

The committee on federal relations, to whom was referred House joint resolution, entitled

Joint resolution asking Congress for an appropriation of money to improve the navigation of Portage river and lake, in Huron county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 10, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 41, entitled

A bill to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Macomb, in the county of Macomb, for the year 1868;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Redford, in the county of Wayne, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*



The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to change the name of the township of North Climax, in Benzie county, to Inland;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, February 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 37, entitled

A bill to provide for the improvement of the navigation of the Saginaw river;

2. Senate bill No. 52, entitled

A bill to prevent injury to the navigation of Saginaw river;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 3, entitled

Joint resolution authorizing the Commissioner of the State Land Office, or other proper officer, to issue a certificate of sale of certain lands to Jacob Pintler, of Eureka, Montcalm county, Michigan;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 11, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 38, entitled

A bill to amend act No. 162, of the session laws of 1867, approved March 27, 1867, being "An act relative to the imprisonment of parties in civil suits in certain cases," by adding a proviso thereto;

2. Senate bill No. 40, entitled

A bill to amend section three thousand eight hundred and fifteen, of the compiled laws, being section 163, of chapter 93, of the revised statutes of 1846, relating to justices' courts;

## 3. Senate bill No. 42, entitled

A bill transferring all moneys in the contingent fund, to the general fund;

## 4. Senate bill No. 46, entitled

A bill to set off that portion of the township of Richland, in the county of Kalamazoo, situate east of Gull Lake, and attach the same to the township of Ross;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on ways and means.

The fourth named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the committees on the geological survey, of the Senate and House, act as a joint committee, to consider and report upon that part of the Governor's message which has been referred to them respectively;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER

*Secretary of the Senate.*

The message was laid on the table.

## NOTICES.

Mr. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of New Baltimore;

Also,

A bill to abolish the office of swamp land State road commissioner;

Also,

A bill providing for the withdrawal of State swamp lands from market.

Mr. Hunt gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Hamlin, in the county of Eaton.

Mr. Westover gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to organize union school district, of Bay City.

Mr. Riopelle gave notice that on some future day he would ask leave to introduce

A bill to provide for the sounding of steam whistles, and the ringing of railroad bells, at streets and railroad crossings, and the penalty for such neglect.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of Kalamazoo county to raise by tax a sum of money, not to exceed two thousand dollars, to purchase a homestead for the widow and children of the late lamented sheriff, Benjamin F. Orcutt, who was assassinated while in the discharge of his official duties.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to extend the limits of the city of Adrian.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill to change the name of Percival J. Norton to Percival

J. Williams, and to constitute him the legal heir of Augustine N. Williams and Katharine Williams;

Also,

A bill to organize the township of Colfax, in the county of Mecosta;

Also,

A bill for laying out a State road, commencing at the S. W. corner of section 34, town. 17 N., R. 10 W., Osceola county, running thence north to Traverse Bay, and appropriating one section of swamp land per mile to construct the same.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of fractional school district number one, composed of portions of the townships of Algoma, Plainfield and Cannon, in the county of Kent, at their annual school meeting, held on the 7th day of September, A. D. 1868, in reference to issuing bonds.

Mr. Riopelle gave notice that on some future day he would ask leave to introduce

A bill to amend section 28, of chapter 6, of an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to amend sections 2187 and 2190, of the compiled laws, being sections 5 and 8, of chapter 75, relating to the University of Michigan.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

Joint resolution authorizing swamp lands granted by the Legislature to build roads in the Upper Peninsula, to be used in the construction of train railroads.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill establishing a State road from Centerville, Tuscola

county, to Hurd's Corners, and providing an appropriation of non-resident highway taxes for the construction of the same.

INTRODUCTION OF BILLS.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress approved July 2, 1862, for the endowment of Colleges for the benefit of agriculture and the mechanic arts," approved March 18th, 1863.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Monitor, in Bay county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress for a further appropriation of money to complete the harbor at Marquette, on Lake Superior.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to prevent fraud in advertising.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the Governor to issue a patent of certain lands to John Dawling.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Purcell, previous notice having been given, and leave being granted, introduced

A bill to amend section two of an act entitled "An act to incorporate the Detroit and Saline plank road company," approved March 23, 1848.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Purcell, previous notice having been given, and leave being granted, introduced

A bill to authorize the improvement of Fort street, in the township of Springwells, and to provide for the maintenance thereof.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Wayne.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to declare the boundaries of certain school districts in the township of Chesaning, in the county of Marquette.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Mayfield, in the county of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the school inspectors of the township of Marathon, in Lapeer county, in organizing school-district No. 6, in said township of Marathon.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to regulate fire, marine, life and health insurance companies, and their agents, associations and partnerships, and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan," being No. 248, of the session laws of 1859.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Barnaby, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 77, of the laws of 1861, entitled an act to amend section 5 of an act entitled "An act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 28, A. D. 1861.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Barnaby, previous notice having been given, and leave being granted, introduced

A bill to prevent obstructions being so placed on the channel of the north fork of Bad river, or any of its branches, in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up and down said streams.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to provide for the formation of joint stock companies for the purpose of owning property and maintaining skating parks or rinks.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.



Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to enable the highway commissioners to equalize the taxes on highways in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section 17 of an act, entitled "An act relative to laying out, altering and discontinuing highways," approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Hurlbut, previous notice having been given, and leave being granted, introduced

A bill to amend sections 2, 12 and 20, of act No. 519, of the session laws of 1867, entitled "An act to incorporate the village of Paw Paw."

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hurlbut, previous notice having been given, and leave being granted, introduced

A bill to amend sections 3622, 3623, 3624, 3645 and 3652, the same being sections 16, 17, 18, 39 and 46, of chapter 116, of the compiled laws of Michigan, in regard to probate courts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to amend section three of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30th, 1869.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to amend section 4751, of the compiled laws, in relation to attachments.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. G. G. Briggs, previous notice having been given, and leave being granted, introduced

A bill to amend the charter of the city of Grand Rapids, and to add three new sections thereto, to stand as sections 43, 44 and 45.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Stockbridge, previous notice having been given, and leave being granted, introduced

A bill to legalize the special township meeting of the township of Saugatuck, in the county of Allegan, held in said township January 22d, 1869.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Coghall, previous notice having been given, and leave being granted, introduced

A bill to amend section 3776 of the compiled laws, in relation to transfers of causes in justices' court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend section 569 of the compiled laws, in reference to the bond of township treasurers.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to revise and amend an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Bay City,' approved March 21st, 1865," being act number 343, of session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

### THIRD READING OF BILLS.

House joint resolution No. 7, entitled

Joint resolution asking Senators and Representatives in Congress from Michigan, to urge the speedy erection of a lighthouse at the mouth of the Manistee river, in the county of Manistee,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Rowison,    |
| Avery,        | Huston,         | Seward,         |
| Barnaby,      | Hutchinson,     | Shaw,           |
| Baxter,       | Jewell,         | Sheldon,        |
| Blake,        | L. Kendrick,    | Slayton,        |
| Bostwick,     | F. G. Kendrick, | Snell,          |
| Brynton,      | Kingaley,       | Stannard,       |
| G. G. Briggs, | Klein,          | Stewart,        |
| Brownell,     | Lane,           | Stockbridge,    |
| Cameron,      | Lee,            | Swift,          |
| B. Clark,     | Lovell,         | Ternes,         |
| O. Clark,     | Mandigo,        | Thompson,       |
| Crane,        | Mason,          | Wagner,         |
| Curry,        | McCowen,        | Walker,         |
| Davis,        | McKernan,       | Walton,         |
| Eaton,        | Mead,           | Weier,          |
| Eck,          | Miles,          | Wendell,        |
| Elliott,      | Miller,         | Westover,       |
| Fuller,       | Mitchell,       | White,          |
| Gifford,      | Murray,         | Wilcox,         |
| Grant,        | Newman,         | H. G. Williams, |
| Harris,       | Norton,         | J. A. Williams, |
| Hartson,      | Osborn,         | W. D. Williams, |
| Holt,         | Plimpton,       | Woodard,        |
| Horton,       | Purell,         | Yawkey,         |
| Hubbard,      | Riford,         | Speaker,        |
| Hunt,         | Riopelle,       |                 |

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#### NAYS.

Title agreed to.

Senate manuscript bill, entitled

A bill to authorize the First Baptist Church and Society, and the Second Baptist Church and Society, of the city of Grand Rapids, to unite and consolidate with, and to vest their property in, the Baptist Church and Society, of the city of Grand Rapids,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hutchinson, | Mr. Shaw,       |
| Avery,        | Ingersoll,      | Sheldon,        |
| Baxter,       | Jewell,         | Shier,          |
| Blake,        | L. Kendrick,    | Slayton,        |
| Bostwick,     | F. G. Kendrick, | Snell,          |
| Boynton,      | Kingsley,       | Stannard,       |
| G. G. Briggs, | Klein,          | Stewart,        |
| Brownell,     | Lane,           | Stockbridge,    |
| Cameron,      | Lee,            | Swift,          |
| B. Clark,     | Lovell,         | Ternes,         |
| O. Clark,     | Mandigo,        | Thompson,       |
| Crane,        | Mason,          | Vowles,         |
| Curry,        | McCowen,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Eaton,        | Mead,           | Walton,         |
| Eck,          | Miller,         | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Wendell,        |
| Fuller,       | Newman,         | Westover,       |
| Gifford,      | Norton,         | White,          |
| Grant,        | Osborn,         | Wilcox,         |
| Harris,       | Plimpton,       | H. G. Williams, |
| Hartson,      | Purcell,        | J. A. Williams, |
| Horton,       | Riford,         | W. D. Williams, |
| Hubbard,      | Riopelle,       | Woodard,        |
| Hunt,         | Rowlson,        | Yawkey,         |
| Hurlbut,      | Seward,         | Speaker,        |
| Huston,       |                 |                 |

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## NAYS.

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Title agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Westover offered the following:

*Resolved*, (the Senate concurring,) That in view of the humiliating, vacillating and disgraceful conduct of Reverdy Johnson, U. S. Minister to Great Britain, that our Senators and Representatives in Congress be and are hereby requested to use their utmost influence, and all honorable means, to secure, at the earliest possible moment, the recall of said Mr. Johnson.

Laid on the table for one day, under the rules.

Mr. Ternes offered the following:

*Resolved*, That a special committee of three be appointed to investigate and report to this House, by what authority a toll gate is maintained and toll collected, on the Detroit River road, from the city of Detroit to Fort Wayne, in the county of Wayne;

Which was adopted.

## GENERAL ORDER.

On motion of Mr. Plimpton,

The House went into committee of the whole, on the general order,

Mr. Fuller in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 43, entitled

A bill to amend section two, of chapter forty-two of the compiled laws, relative to disorderly persons;

2. House bill No. 44, entitled

A bill to authorize secretaries, or either of the directors of fire, marine, or life insurance companies to administer oaths, and take testimony in certain cases;

3. House bill No. 45, entitled

A bill to amend section 7, of act No. 356, of laws of 1867, being "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865;

4. House bill No. 47, entitled

A bill to revise the charter of Saugatuck;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

5. House bill No. 48, entitled

A bill to provide for laying out and establishing a State road in Kent and Ionia counties, and opening the same;

6. House bill No. 49, entitled

A bill to amend an act entitled "an act to prevent fishing with seines and every kind of continuous nets in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Calhoun and Macomb," approved March 9th, 1867;

7. House bill No. 50, entitled

A bill to amend sections 1, 7 and 26, of an act to revise the charter of the village of Hastings, approved March, 22d, 1867;

8. House bill No. 51, entitled

A bill to amend section 30, of chapter 10, of compiled laws, in relation to the compensation of members of boards of supervisors.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

C. C. FULLER, *Chairman.*

Report accepted and committee discharged.

The first four named bills were placed on the order of third reading.

On motion of Mr. Cameron,

The House concurred in the amendments made by the committee to the fifth, sixth, seventh and eighth named bills, and the bills were placed on the order of third reading.

On motion of Mr. Barnaby,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Friday, February 12, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Perrine.

Roll called: quorum present.

Absent without leave: Messrs. Curry, Miller, Plimpton and Ward.

Mr. Cogshall asked and obtained leave of absence for the committee appointed to investigate the affairs of the Detroit and Milwaukee railroad, consisting of Messrs. Ward, Curry, Cogshall, Cogshall, Miller and Plimpton.

Mr. Dussseau asked and obtained leave of absence for himself, for an indefinite time, on account of sickness.

The Speaker announced as the special committee to investigate and report to the House by what authority a toll gate is maintained, and toll collected, on the Detroit river road, from the city of Detroit to Fort Wayne, in the county of Wayne, Messrs. Ternes, Westover and Woodard.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of George Washer, James H. Harvey, Jos. A. Holland and 47 others, citizens of Romeo, Macomb county, praying the Legislature for an act to authorize the towns, cities and counties on the line and coterminous with the Michigan Air Line railroad, to vote aid in the construction of the same.

Referred to the committee on internal improvements.

By Mr. Wendell: petition of Wm B. McArthur, Frank M. Simmons, James Jones and 169 others, citizens of Cheboygan county, praying for the passage of a joint resolution to Congress for a harbor at the mouth of the Cheboygan river, on the straits of Macinaw.

Referred to the committee on federal relations.

By Mr. Snell: petition of John D. Thompson, of White Rock, Huron county, praying that the members of the 29th, 30th and 31st regiments of volunteer infantry shall receive the bounty to which they are justly entitled.

Referred to the committee on military affairs.

By Mr. Lane: petition of P. C. Andre and 52 others, asking for an act to authorize the township of Swan Creek, in the county of Saginaw, to issue bonds to aid in the construction of a bridge across the Tittabawassee river.

Referred to the committee on roads and bridges.

By Mr. Grant: petition of Geo. W. Sheldon, Henry M. Merrett and 40 others, soldiers from Barry county, praying for the equalization of State bounties.

Referred to the committee on State affairs.

By Mr. Clark: petition of Samuel Tuttle, W. O. Donnyhue and 20 others, citizens of Albion, Calhoun county, asking for the repeal of the law of 1855, establishing a chair of homeopathy in the University of Michigan; also, for the repeal of the law passed at the last session of the Legislature, granting aid to the University of Michigan, provided a chair of homeopathy be established therein, be so amended as to grant the much needed aid without such restriction.

Referred to the committee on education.

By Mr. Boynton; petition of Isaac Wilkins and 24 others, citizens of the village of Marine City, county of St. Clair, asking the passage of a law legalizing the survey made by Charles Palmer of the village of Marine City, in the year 1865.

Referred to the committee on the judiciary.

By Mr. Boynton: petition of V. A. Saph, A. Smith, S. Richardson and 89 others, citizens of St. Clair county, asking for an appropriation of swamp lands, to aid in the construction of a drain through the Marine City marsh, in said county.

Referred to the committee on public lands.

By Mr. Woodard: petition of Nelly White and 75 others, tax-payers of the township of Dundee, Monroe county, asking a law authorizing the raising of money to aid in the construction of a railroad from Saginaw to Toledo, via Ann Arbor, Milan and Dundee.

Referred to the committee on internal improvements.

By Mr. Woodard: petition of M. C. Edwards, C. H. Wilson,



J. Cronk and 22 others, asking a law to legalize the Milan Union church.

Referred to the committee on religious and benevolent societies.

By Mr. Fenner: petition of A. Beach and 81 others, citizens of Sanilac county, asking for the construction of a State road in said county, and an appropriation of non-resident tax for the same.

Referred to the committee on local taxation.

By Mr. Cameron: petition of Wm. B. Clark, Allen Potter, R. S. Babcock and 200 others, citizens of Kalamazoo, remonstrating against the repeal of the law of 1855, relative to the appointment of a professor of homeopathy in the University.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 7, of act No. 160, of the session laws of 1861, relative to proceeding against garnishees and for other purposes, approved March 15, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 38, entitled

A bill to amend act No. 162, of the session laws of 1867, approved march 27, 1867, being "An act relative to the imprisonment of parties in civil suits, in certain cases," by adding a proviso thereto;

Also, Senate bill No. 40, entitled

A bill to amend section 3815, of the compiled laws, being section 163, of chapter 93, of the revised statutes of 1846, relating to justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were referred to the committee of the whole, and placed on the general order.

By the committee on State Library:

The committee on State Library, to whom was referred Senate manuscript bill, entitled

A bill to provide for insurance on the State Library,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. S. STANNARD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize township fourteen north, of range four east, excepting sections one and two, and adding thereto sections thirty and thirty-one, of town fourteen north, range five east,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. H. CRANE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution for the relief of Hiram Ransom,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment or recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was recommitted

Joint resolution for the relief of Theron Ford,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Huston,

The rules were suspended, and the joint resolution was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution for the relief of Alanson Holbrook,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to authorize Wellington R. Burt to select 720 acres of State swamp lands, in lieu of like amount selected by him and sold by the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Huston,

The following memorial, which accompanied the bill, was ordered printed in the journal:

*To the Honorable Senate and House of Representatives of Michigan:*

Your petitioner, Wellington R. Burt, of the city of East Saginaw, respectfully shows, that on or about the 12th day of May, A. D. 1862, he selected from among the unsold State swamp lands, the following described lands, in township No nineteen (19) north, of range No. two (2) east: S E  $\frac{1}{4}$  of N W  $\frac{1}{4}$ , N E  $\frac{1}{4}$  of S W  $\frac{1}{4}$ , N W  $\frac{1}{4}$  of S E  $\frac{1}{4}$ , and S E  $\frac{1}{4}$  of S E  $\frac{1}{4}$  of Sec. 21; S E  $\frac{1}{4}$  of S W  $\frac{1}{4}$  Sec. 23; N E  $\frac{1}{4}$  of N W  $\frac{1}{4}$  of Sec. 26; N E  $\frac{1}{4}$ , E  $\frac{1}{2}$  of N W  $\frac{1}{4}$ , N W  $\frac{1}{4}$  of S E  $\frac{1}{4}$ , and S E  $\frac{1}{4}$  of S W  $\frac{1}{4}$  of Sec. 28, to apply on payment of a contract which he had before then made with the State of Michigan, for the construction of a portion of the Saginaw and Gratiot State road, and your petitioner, on the day aforesaid, filed in the office of the Commissioner of the State Land Office, a list of the said lands, in order that the same should be withheld from market until his said contract should be completed; and he took from the said Commissioner a statement, in writing, that the said lands were so withheld. The time for the completion of said contract was extended from time to time, so that the work thereof was not completed and accepted by the commissioner appointed on said road, until the 5th day of May, A. D. 1868, at which time your petitioner became entitled to demand and receive from the State a patent for said lands.

He further shows that, in the month of March last, one Samuel Sias was a contractor with this State for the construction of a part of the State road, for which he was to be paid in swamp land, and was then entitled to reserve upwards of one thousand acres of said lands; and being so entitled, he authorized and empowered your petitioner to select one thousand acres of said lands, and have the same reserved and withheld from the market, to apply on said contract; and your petitioner thereupon filed in the office of said Commissioner of the Land

Office, his said authority and a list of lands to be withheld thereunder, among which lands were the N  $\frac{1}{4}$  of S E  $\frac{1}{4}$ , and S W  $\frac{1}{4}$  of S W  $\frac{1}{4}$  of Sec. 23, and N E  $\frac{1}{4}$  of S E  $\frac{1}{4}$  of Sec 28, in said town and range; and upon filing said list, the said lands could not lawfully be sold until the expiration of the time fixed for the completion of said contract by said Sias.

In the month of August last, and before the expiration of said time, all the lands hereinbefore described were by mistake, and without lawful authority, sold by the said Commissioner to Edmund Heather and David W. Allison, of the city of Saginaw, and patents issued therefor to them. And before your petitioner was aware of such sale, the said Heather and Allison sold and conveyed the said lands to a third party, who had no knowledge of your petitioner's right to the same, as he is informed, and thereby put it out of the power of your petitioner to ever recover the same. He further shows that he had spent much time and money in looking up said lands; that the same were valuable, and that the payment to him of the money received by the State for the same, would not be an adequate compensation for his loss by said sale. He therefore prays for the passage of an act authorizing him to select an equal quantity of unappropriated swamp lands, within townships eighteen (18) or nineteen (19) north, of range three west, in lieu of the lands thus unlawfully sold and patented, and on filing a list thereof to have the same withheld from sale and patented to him, in the same manner as if originally selected and withheld to apply on said contract.

And your petitioner will ever pray, &c.

WELLINGTON R. BURT.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to prevent obstructions being so placed in the north fork of Red River, or its branches, in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said stream,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend act No. 77, of the laws of 1861, entitled "An act to amend section 5 of an act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 28, A. D. 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barnaby,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate bill No. 34, entitled

A bill to create a soldiers' aid fund for disabled Michigan soldiers, sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress to grant lands to aid in the construction of the Mineral Range railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress for an appropriation of money for the improvement of the harbor at the mouth of Cheboygan river, on the Straits of Mackinaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 42, entitled



A bill transferring all moneys in the contingent fund, to the general fund,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to legalize the special meeting of the township of Saugatuck, in the county of Allegan, held in said township, January 22, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 30, entitled

A bill to extend the time for the collection of drain taxes in the township of Summerville, in the county of Monroe, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Marquette, in the county of Marquette, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

Also,

A bill to extend the time for the collection of taxes in the city of Jackson, for the year 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ternes,

The rules were suspended, and the first named bill was placed on the order of third reading.

On motion of Mr. Eaton,

The rules were suspended, and the last named bill was placed on the order of third reading.

#### NOTICES.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to amend section 5, of chapter 185, being section 5860 of the compiled laws;

Also,

A bill to amend section 15 of an act entitled "An act to provide for the incorporation of villages, approved February 17, 1857," being section 2112 of the compiled laws.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad.

Mr. W. D. Williams gave notice that on some future day he would ask leave to introduce

Joint resolution to declare the grants of land by Congress to the Marquette and Ontonagon railroad company forfeited, and to confer the said lands on some company giving sufficient pledges, for the construction of such road, according to law.

Mr. Avery gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road from the village of St. Louis, in the county of Gratiot, to the village of Newaygo, in the county of Newaygo, and to appropriate certain non-resident taxes, to aid in the construction of the same.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce

A bill to authorize the formation of companies for the introduction of water into cities and villages;

Also,

A bill in reference to telegraph companies, and to modify or repeal certain existing laws or parts of laws, relating thereto.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section 127 of an act entitled "An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts," being act No. 186, of session laws of 1863.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to legalize the survey of the village of Marine City, in the county of St. Clair, made by Chas. Palmer, in the year 1855.

Mr. Harris gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 66, of the session laws of 1863, being an act entitled an act to amend chapter 111 of the compiled laws, relative to master and apprentice.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to prevent obstructions being placed in the channel of the Kalamazoo river, in the counties of Allegan and Kalamazoo, so as to prevent the free passage of fish up and down said stream.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to repeal all laws or parts of laws, making it the duty of counties to raise aid for county agricultural societies, by special taxation.

Mr. Newman gave notice that on some future day he would ask leave to introduce

A bill for an appropriation of State swamp lands to build a State road from Tawas Bay, in Iosco county, to the intersection

of the Midland and Traverse Bay State road, in Roscommon county.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to provide for paying expenses authorized to be incurred by the Legislature;

Also,

A bill to incorporate the village of Leslie.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to provide for the drainage and reclamation of swamp lands on the Shiawassee River, in Saginaw county;

Also,

A bill to authorize booming companies to use certain lands.

Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee River, in said county, by issuing the bonds of said township, and to provide for the payment thereof.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to appropriate swamp lands for the improvement of the Houghton Lake and Traverse Bay State road.

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to change the name of James R. Fancher to James R. Witmar.

Mr. Woodard gave notice that on some future day he would ask leave to introduce

A bill for the relief of the contractors of the Sandy Creek ditch, in Monroe county.

#### INTRODUCTION OF BILLS.

Mr. Riopelle, previous notice having been given, and leave being granted, introduced

A bill to amend section 28, of chapter 6, of an act entitled

"An act to revise the charter of the city of Detroit," approved Feb. 5th, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to change the name of Percival J. Norton to Percival J. Williams, and constitute him the heir-at-law of Augustine N. Williams and Katharine Williams.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to amend section 1, of act No. 21, of the session laws of 1861, entitled an act to confirm deeds and instruments intended for the conveyance of real estate in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Newman, unanimous consent being given, introduced

A bill to change the name of Charles William Courser to Charles William Noyes.

The bill was read a first and second time by its title, and

On motion of Mr. Newman,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Purcell, previous notice having been given, and leave being granted, introduced

A bill to protect mechanics and other persons, for labor done and materials furnished, by creating a lien law therefor.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to organize Union school district, of Bay City."

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to organize the county of Alcona, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Riopelle, previous notice having been given, and leave being granted, introduced

A bill to prohibit, discourage, and punish prize fighting, within the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to amend sections 2187 and 2190, of the compiled laws, being sections 5 and 8, of chapter 75, relating to the University of Michigan and its branches.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Bennington, in the county of Shiawassee, to raise certain tax for the relief of George W. Hunt.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, and an act amendatory thereto, approved Feb. 12, 1855," as amended by act No. 32, of the session laws of 1858.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Thompson, previous notice having been given, and leave being granted, introduced

A bill to amend section 1 of an act to legalize dissecting in certain cases for the advancement of science, being act No. 188, of the laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Hunt, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Hamlin, in the county of Eaton.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to amend sections 10 and 17, of act No. 163, of session laws of 1861, being an act relative to laying out, altering and discontinuing highways.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Ingersoll, previous notice having been given, and leave being granted, introduced

A bill to change the name of Albert Jennings, Jr., to Albert Spear Hitchcock, and to make him the heir-at-law of John S. Hitchcock and Elizabeth P. Hitchcock.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Davis, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of fractional school district number one, composed of portions of the townships of Algona, Plainfield and Cannon, in the county of Kent, at their annual school meeting, held on the 7th day of September, A. D. 1868, in reference to issuing certain bonds.

he bill was read a first and second time by its title, and referred to the committee on local taxation.



Mr. Mead, unanimous consent being given, introduced

A bill to change the name of John Gutekunst, to John Gute.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to facilitate getting out logs and timber from timbered lands in Michigan.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

### THIRD READING OF BILLS.

House bill No. 43, entitled

A bill to amend section 2, of chapter 42, of the compiled laws, relative to disorderly persons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowson,  |
| Avery,        | Hunt,           | Seward,      |
| Barnaby,      | Hurlbut,        | Shaw,        |
| Baxter,       | Huston,         | Sheldon,     |
| Blake,        | Hutchinson,     | Shier,       |
| Bostwick,     | Ingersoll,      | Slayton,     |
| Boynton,      | Jewell,         | F. L. Smith, |
| G. G. Briggs, | L. Kendrick,    | R. B. Smith, |
| R. V. Briggs, | F. G. Kendrick, | Snell,       |
| Brownell,     | Kingalev,       | Stannard,    |
| Cameron,      | Klein,          | Stewart,     |
| B. Clark,     | Lane,           | Stockbridge, |
| O. Clark,     | Lee,            | Swift,       |
| Cogshall,     | Lovell,         | Ternes,      |
| Crane,        | Mandigo,        | Thompson,    |
| Crossman,     | McCowen,        | Vowles,      |
| Curry,        | McKernan,       | Wagner,      |
| Davis,        | Mead,           | Walker,      |
| Dusseau,      | Miles,          | Walton,      |
| Eaton,        | Millér,         | Ward,        |
| Eck,          | Millington,     | Weier,       |
| Elliott,      | Mitchell,       | Wendell,     |
| Fenner,       | Murray,         | Westover,    |
| Fuller,       | Newman,         | White,       |

Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Holt,  
Horton,

Norton,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopella,  
Romeyn,

Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

94

## NAYS.

Mr. Mason,

Mr. Purcell,

2

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 44, entitled

A bill to authorize secretaries, or either of the directors of fire, marine, or life insurance companies to administer oaths, and take testimony in certain cases,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by adding the following at the end of the fourth line: "*Provided, That nothing herein shall apply to administering oaths or taking testimony in any other proceedings;*"

Which was agreed to.

On motion of Mr. Ingersoll,

The bill was referred to the committee on the judiciary.

House bill No. 47, entitled

A bill to revise the charter of Saugatuck,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,

Mr. Rowson,  
Sanford,  
Seward,  
Shaw,  
Shier,  
Slayton,  
F. L. Smith,

G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Dunseau,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Holt,  
Horton,

L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Purcell,  
Riford,  
Romeyn,

R. B. Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker,

88

## NAYS.

Mr. Elliott,  
Mason,  
Plimpton,

Mr. Putnam,  
Riopelle,

Mr. Sheldon,  
Walker,

7

On motion of Mr. Slayton,

The title was amended by inserting before the word "Saugatuck," the words "the village of."

The title as amended, was agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 45, entitled

A bill to amend section 7, of act No. 356, of laws of 1867, being "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowleson,   |
| Avery,        | Hunt,           | Sanford,        |
| Barnaby,      | Hurlbut,        | Seward          |
| Baxter,       | Huston,         | Shaw,           |
| Blake,        | Hutchinson,     | Sheldon,        |
| Bostwick,     | Ingersoll,      | Shier,          |
| Boynton,      | Jewell,         | Slayton,        |
| G. G. Briggs, | L. Kendrick,    | F. L. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | R. B. Smith,    |
| Brownell,     | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogshall,     | Lovell,         | Swift,          |
| Crane,        | Mandigo,        | Ternes,         |
| Crossman,     | McCowen,        | Thompson,       |
| Curry,        | McKernan,       | Vowles,         |
| Davis,        | Mead,           | Wagner,         |
| Dussean,      | Miles,          | Walker,         |
| Eaton,        | Miller,         | Walton,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Wendell,        |
| Faller,       | Norton,         | Westover,       |
| Gay,          | Osborn,         | White,          |
| Gifford,      | Plimpton,       | Wilcox,         |
| Goodrich,     | Purcell,        | H. G. Williams, |
| Grant,        | Putnam,         | J. A. Williams, |
| Harris,       | Riford,         | W. D. Williams, |
| Hartson,      | Riopelle,       | Woodard,        |
| Holt,         | Romeyn,         | Speaker,        |
| Horton,       |                 |                 |

94

## NAYS.

0

Title agreed to.

House bill No. 50, entitled

A bill to amend sections 1, 7 and 26, of an act to revise the charter of the village of Hastings, approved March 22, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |           |               |
|-------------|-----------|---------------|
| Mr. Ashley, | Mr. Hunt, | Mr. Rowleson, |
| Avery,      | Hurlbut,  | Sanford,      |
| Barnaby,    | Huston,   | Seward,       |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Baxter,       | Hutchinson,     | Shaw,           |
| Blake,        | Ingersoll,      | Sheldon,        |
| Bostwick,     | Jewell,         | Shier,          |
| Boynton,      | L. Kendrick,    | Slayton,        |
| G. G. Briggs, | F. G. Kendrick, | F. L. Smith,    |
| R. V. Briggs, | Kingsley,       | R. B. Smith,    |
| Brownell,     | Klein,          | Snell,          |
| Cameron,      | Lane,           | Stannard,       |
| B. Clark,     | Lee,            | Stewart,        |
| O. Clark,     | Lovell,         | Stockbridge,    |
| Cogahall,     | Mandigo,        | Swift,          |
| Crane,        | McCowan,        | Ternes,         |
| Crossman,     | McKernan,       | Thompson,       |
| Curry,        | Mead,           | Vowles,         |
| Davis,        | Miles,          | Wagner,         |
| Dussean,      | Miller,         | Walton,         |
| Eaton,        | Millington,     | Ward,           |
| Fenner,       | Mitchell,       | Weier,          |
| Fuller,       | Murray,         | Wendell,        |
| Gay,          | Newman,         | Westover,       |
| Gifford,      | Norton,         | White,          |
| Grant,        | Osborn,         | Wilcox,         |
| Harris,       | Plimpton,       | H. G. Williams, |
| Hartson,      | Purcell,        | J. A. Williams, |
| Holt,         | Riford,         | W. D. Williams, |
| Horton,       | Riopelle,       | Woodard,        |
| Hubbard,      | Romeyn,         | Speaker, 90     |

## NAYS.

Mr. Elliott,  
Goodrich,

Mr. Putnam,

Mr. Walker,

4

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 48, entitled

A bill to provide for laying out and establishing a State road in Kent and Ionia counties, and opening the same,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cogshall moved to amend the bill, by striking out all of section 6;

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,    | Mr. Rowison,    |
| Barnaby,      | Hurlbut,     | Sanford,        |
| Baxter,       | Huston,      | Seward,         |
| Blake,        | Hutchinson,  | Sheldon,        |
| Boynton,      | Ingersoll,   | Shier,          |
| G. G. Briggs, | Jewell,      | Sickels,        |
| R. V. Briggs, | L. Kendrick, | Slayton,        |
| Brownell,     | Kingale, y,  | F. L. Smith,    |
| Cameron,      | Lane,        | Snell,          |
| B. Clark,     | Lee,         | Stannard,       |
| O. Clark,     | Mason,       | Stockbridge,    |
| Crossman,     | McCowen,     | Swift,          |
| Davis,        | McKernan,    | Ternes,         |
| Dussseau,     | Mead,        | Thompson,       |
| Eaton,        | Miles,       | Vowles,         |
| Eck,          | Miller,      | Walton,         |
| Elliott,      | Millington,  | Weier,          |
| Fenner,       | Mitchell,    | Wendell,        |
| Fuller,       | Murray,      | Westover,       |
| Gay,          | Newman,      | Wilcox,         |
| Gifford,      | Norton,      | H. G. Williams, |
| Grant,        | Osborn,      | W. D. Williams, |
| Holt,         | Purcell,     | Woodard,        |
| Horton,       | Riford,      | Yawkey,         |
| Hubbard,      | Riopelle,    | Speaker, 75     |

## NAYS.

|            |                     |                    |
|------------|---------------------|--------------------|
| Mr. Avery, | Mr. F. G. Kendrick, | Mr. R. B. Smith,   |
| Bostwick,  | Klein,              | Stewart,           |
| Cogshall,  | Lovell,             | Wagner,            |
| Crane,     | Mandigo,            | Walker,            |
| Curry,     | Plimpton,           | Ward,              |
| Goodrich,  | Putnam,             | White,             |
| Harris,    | Romeyn,             | J. A. Williams, 21 |

Title agreed to.

Mr. Boynton moved that the House take a recess until 2 o'clock;

Which motion did not prevail.

House bill No. 51, entitled

A bill to amend section 30, of chapter 10, of compiled laws, in relation to the compensation of members of boards of supervisors,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. F. L. Smith moved to amend, by striking out in line 3, of section 2, the word "six," and inserting "ten" in lieu thereof;

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Shaw,       |
| Avery,        | Hunt,           | Sheldon,        |
| Barnaby,      | Hurlbut,        | Shier,          |
| Baxter,       | Hutchinson,     | Sickels,        |
| Blake,        | Ingersoll,      | Slayton,        |
| Boynnton,     | Jewell,         | F. L. Smith,    |
| G. G. Briggs, | L. Kendrick,    | R. B. Smith,    |
| R. V. Briggs, | F. G. Kendrick, | Snell,          |
| Brownell,     | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mason,          | Thompson,       |
| Crossman,     | McKernan,       | Vowles,         |
| Curry,        | Mead,           | Wagner,         |
| Davis,        | Miller,         | Walker,         |
| Dunnean,      | Millington,     | Walton,         |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fenner,       | Newman,         | Westover,       |
| Fuller,       | Osborn,         | Wilcox,         |
| Gay,          | Purcell,        | H. G. Williams, |
| Gifford,      | Putnam,         | W. D. Williams, |
| Goodrich,     | Rowson,         | Yawkey,         |
| Grant,        | Sanford,        | Speaker,        |
| Holt,         | Seward,         |                 |

80

## NAYS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Bostwick, | Mr. McCowan, | Mr. Romeyn,     |
| Eaton,        | Miles,       | Ward,           |
| Harris,       | Norton,      | White,          |
| Horton,       | Plimpton,    | J. A. Williams, |
| Huston,       | Riford,      | Woodard,        |
| Mandigo,      | Riopelle,    |                 |

17

Title agreed to.

On motion of Mr. Brownell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Westover,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

SPECIAL ORDER.

Being the consideration of House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan.

Mr. Wilcox moved that the House go into committee of the whole on the special order.

Mr. Miles moved to postpone the consideration of the bill on the special order, until Tuesday next, at 2 o'clock P. M.;

Which motion did not prevail.

The motion to go into the committee of the whole, on the special order, then prevailed.

Mr. Plimpton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan;

Have made some progress therein, but not having gone



through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

EMORY M. PLIMPTON, *Chairman.*

Report accepted.

On motion of Mr. Cogshall,

Leave was granted the committee to sit again.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 52, entitled

A bill to authorize and encourage the formation of corporations to establish rural cemeteries, and provide for the care and maintenance thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to amend an act entitled "An act to authorize the city of Lansing, in the county of Ingham, to vote aid to the Ionia

and Lansing railroad company, under provisions of act No. 394, of sess on laws of 1865, approved January 20, 1869;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,  
On motion of Mr. Sanford,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Sanford, |
| Avery,        | Huston,         | Seward,      |
| Barnaby,      | Hutchinson,     | Shaw,        |
| Baxter,       | Jewell,         | Sheldon,     |
| Blake,        | L. Kendrick,    | Shier,       |
| Bostwick,     | F. G. Kendrick, | Sickels,     |
| Boynton,      | Kingsley,       | Slayton,     |
| G. G. Briggs, | Klein,          | F. L. Smith, |
| R. V. Briggs, | Laue,           | R. B. Smith, |
| Cameron,      | Lee,            | Snell,       |
| B. Clark,     | Lovell,         | Stannard,    |
| O. Clark,     | Mandigo,        | Sewart,      |
| Cogshall,     | Mason,          | Stockbridge, |
| Crane,        | McCowen,        | Swift,       |
| Crossman,     | McKernan,       | Ternes,      |
| Curry,        | Mead,           | Thompson,    |
| Davis,        | Miles,          | Vowles,      |
| Dusseau,      | Miller,         | Wagner,      |
| Eaton,        | Millington,     | Walker,      |
| Eck,          | Mitchell,       | Walton,      |
| Elliott,      | Murray,         | Ward,        |
| Fenner,       | Newman,         | Weier,       |
| Fuller,       | Norton,         | Wendell,     |
| Gay,          | Osborn,         | Westover,    |
| Gifford,      | Plimpton,       | White,       |

|           |           |                 |    |
|-----------|-----------|-----------------|----|
| Goodrich, | Purcell,  | Wilcox,         |    |
| Grant,    | Putnam,   | H. G. Williams, |    |
| Harris,   | Riford,   | W. D. Williams, |    |
| Hartston, | Riopelle, | Woodard.        |    |
| Horton,   | Romeyn,   | Yawkey,         |    |
| Hubbard,  | Rowlson,  | Speaker,        | 94 |
| Hunt,     |           |                 |    |
|           | NAYS.     |                 | 0  |

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Miles, by unanimous consent, offered the following:

*Resolved*, That the Sergeant-at-Arms be and he is hereby requested immediately to cause a carpet or other covering to be placed upon the stairs leading from the floor of this Hall to the Senate Chamber and Governor's room, so as to prevent the incessant noise that so constantly annoys the members of this House, by the tramp of persons going up and down said stairs;

Which was adopted.

Mr. Plimpton, by unanimous consent, offered the following:

*Resolved*, That the use of this Hall this evening, be granted to Dr. Bagley and Spinny, for the purpose of giving a lecture on homeopathy, and presenting the claims of the homeopathsists on the University of Michigan;

Which was adopted.

By unanimous consent, the following report was submitted:

The special committee to investigate the affairs of the D. & M. R. R. Co., have had the same under consideration; have made some progress, and have directed me to report, that one Thomas Bell, an employé of said Company, having been duly summoned to appear at the bar of this House, has failed to do so, and as your committee believe, intends, by so doing, to show his contempt for this Honorable body.

Your committee, therefore, have directed me to report this to the House, and recommend the adoption of the following resolution:

*Resolved*, That the Sergeant-at-Arms be directed to bring the body of the said Thomas Bell to the bar of this House forthwith.

E. B. WARD, *Chairman*.

Report accepted.

The resolution reported by the committee was adopted.

On motion of Mr. Wilcox,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Saturday, February 13, 1859.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Sheldon.

Roll called: quorum present.

Mr. Harris asked and obtained leave of absence for himself, until Thursday morning, after to-day.

Mr. G. G. Briggs asked and obtained leave of absence for himself, until Tuesday morning, after to-day.

Mr. Barnaby asked and obtained leave of absence for himself, for the day.

Mr. Westover asked and obtained leave of absence for himself, until Tuesday morning, after to-day.

Mr. Blake asked and obtained leave of absence for himself, until Tuesday morning, after to-day.

Mr. Brownell asked and obtained leave of absence for himself, until Tuesday morning, after to-day.

#### PRESENTATION OF PETITIONS.

By Mr. G. G. Briggs: petition of J. B. Haney, E. D. Burr, A. D. Borden and 37 others, citizens of the city of Grand Rapids, asking for the passage of a law to regulate the rights and duties of masters and apprentices.

Referred to the committee on State affairs.

By Mr. G. G. Briggs: petition of W. D. Foster, Josab Jones, W. H. McConnell, and 185 other citizens of the city of Grand

Rapide, asking for the passage of a lien law for the protection of mechanics and laboring men.

Referred to the committee on State affairs.

By Mr. Brownell: petition of Warren Peck and 44 others, citizens of Lapeer county, praying that township 8, in range 10, in said county, may be set off and organized into a separate township, by the name of Mayfield;

Also: petition of Calvin Perkins and 22 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Ternes: memorial from the drain commissioners of Wayne county, asking for the amendment of the drainage law,

Referred to the committee on drainage.

By Mr. Harris: petition of E. Long and 36 others, members of Machinists' and Blacksmiths' Union No. 2, of Michigan, for an act of incorporation.

Referred to the committee on banks and incorporations.

By Mr. Ward: remonstrance of S. R. Kelsey and 150 others, against granting a city charter to the village of Corunna;

Also: remonstrance of James M. Goodell and 146 others, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Riford: petition of B. C. Hoyt, asking that certain moneys paid as a penalty, be refunded.

Referred to the committee on State affairs.

By Mr. Seward: petition of Joseph Stephens, Levi Sparks, Geo. E. Ticknor, Dennis Clark, Perkins Morris, E. L. Hamilton and 174 others, asking the passage of an act detaching certain territory from the township of Niles, Berrien county, and attaching the same to the township of Bertrand.

Referred to the committee on towns and counties.

By Mr. L. Kendrick: petition of D. Cooley and 58 others, for the laying out and establishing a State road from Almont, Lapeer county, to some point on the territorial road in the town of Metamora, and asking an appropriation in aid of the same;

Also: petition of Richard Morse and 31 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Mitchell: petition of M. P. Grinnell and 21 others, citizens of Manistee county, asking for certain territory in said county to be attached to Benzie county;

Also: petition of H. Arnold, H. A. Austin and 37 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Barnaby: petition of Anthony Cook, Charles Sessions, Alfred Benjamin, and 106 other citizens of Clinton county, asking for a change of part of the line of the Alma and Clinton State road, and provisions for the completion of the same.

Referred to the committee on public lands.

By Mr. Miller: petition of Arnold Harwood, J. C. Mason, Charles E. S. Spinney and 14 others, asking for the repeal of the law providing for the drainage of swamps, marshes and other low lands, approved March 15, 1861, and the acts amendatory thereto;

Also: petition of J. M. Vaughn, A. C. Trowbridge and 140 others, for the same purpose.

Referred to the committee on drainage.

By Mr. Stewart: memorial of the board of supervisors of Wayne county, relative to the constitutional provision in regard to the bridge fund.

On motion of Mr. Stewart,

The memorial was referred to the committee on the judiciary, and was ordered printed in the journal.

The following is the memorial:

COUNTY BUILDINGS, }  
Detroit, Jan. 26, 1869. }

*To the Honorable Senate and House of Representatives of the State of Michigan :*

GENTLEMEN—The following resolution was unanimously adopted by the Board of Supervisors of Wayne county, at their regular annual session in October, 1868.

It is a subject of great importance to the interests of the county, and as such, it is hoped will receive your earliest attention, that some action may be taken by the Legislature upon the subject, during its present session.

[ From the proceedings of October 23d, 1868. ]

By Supervisor Bond:

*Resolved*, That as the constitutional allowance of one (\$1,000) thousand dollars for the bridge fund of the county of Wayne appears insufficient for the fast increasing necessities of population and improvement, that this board hereby request its Senators and Representatives in the State Legislature to endeavor to procure from said body, such action as is necessary to secure an amendment to the constitution, to be submitted to the people of Michigan, to enable the county to increase its bridge fund.

Adopted.

Yours respectfully,

WM. B. HOWE,

*Ch. of the B'd of Supervisors of the County of Wayne.*

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency the Governor, in writing.

Mr. Mead, by unanimous consent, moved to take from the table House joint resolution No. 4, entitled,

Joint resolution proposing an amendment to section one, article nine, of the constitution of this State, relative to the salaries of judges of the circuit court;

Which motion prevailed.

The joint resolution reads as follows:

**JOINT RESOLUTION** proposing an amendment to section one, article nine, of the Constitution of this State, relative to the salaries of judges of the circuit court.

*Resolved*, by the Senate and House of Representatives of the State of Michigan, That the following amendment to the constitution of this State be and the same is hereby proposed, to stand as section one, of article nine:

The Governor shall receive an annual salary of one thousand dollars; the judges of the circuit court shall each receive an annual salary of two thousand five hundred dollars; the State Treasurer shall receive an annual salary of one thousand dollars; the Auditor General shall receive an annual salary of one thousand dollars; the Superintendent of Public Instruction shall receive an annual salary of one thousand dollars; the Secretary of State shall receive an annual salary of eight hundred dollars; the Commissioner of the Land Office shall receive an annual salary of eight hundred dollars; the Attorney General shall receive an annual salary of eight hundred dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with their offices. It shall not be competent for the Legislature to increase the salaries herein provided.

Said amendment shall be submitted to the people of this State at the next general election, to be held on the Tuesday succeeding the first Monday in November, in the year 1870; and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in this State, in the same manner that he is now by law required to do in case of an election of Governor and Lieutenant Governor; and the inspectors of elections in the several townships and cities in this State shall prepare a suitable box for the reception of ballots cast for and against said amendment. Each person voting for said amendment, shall have written or printed on his ballot the words, "Amendment relative to the salaries of judges of the circuit court,—yes," and each person voting against it, the words, "Amendment relative to the salaries of judges of the circuit court,—no." The ballots shall in all respects be canvassed, and returns be made as in elections of Governor and Lieutenant Governor.

The joint resolution having been read a third time, and the question being upon its passage,

Mr. Mead demanded the previous question.

The demand was seconded, and the main question ordered;



The joint resolution was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Ingersoll,  | Mr. Sheldon,    |
| Baxter,       | Jewell,         | Sickels,        |
| Blake,        | L. Kendrick,    | Slayton,        |
| Boynton,      | F. G. Kendrick, | R. B. Smith,    |
| G. G. Briggs, | Kingsley,       | Snell,          |
| Brownell,     | Lane,           | Stannard,       |
| Cameron,      | Mandigo,        | Stewart,        |
| O. Clark,     | McCowan,        | Stockbridge,    |
| Cogehall,     | McKernan,       | Swift,          |
| Crane,        | Mead,           | Ternes,         |
| Crossman,     | Miller,         | Thompson,       |
| Curry,        | Millington,     | Vowles,         |
| Davis,        | Mitchell,       | Wagner,         |
| Eck,          | Murray,         | Walker,         |
| Elliott,      | Newman,         | Walton,         |
| Fenner,       | Nerton,         | Ward,           |
| Fuller,       | Osborn,         | Weier,          |
| Gay,          | Plimpton,       | Wendell,        |
| Gifford,      | Purcell,        | Westover,       |
| Grant,        | Putnam,         | White,          |
| Hartson,      | Riford,         | H. G. Williams, |
| Holt,         | Riopelle,       | W. D. Williams, |
| Hunt,         | Roxeyn,         | Yawkey,         |
| Hurlbut,      | Rowlson,        | Speaker,        |
| Huston,       | Shaw,           |                 |

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## NAYS.

|               |               |                 |
|---------------|---------------|-----------------|
| Mr. Ashley,   | Mr. Goodrich, | Mr. Seward,     |
| Bostwick,     | Harris,       | Shier,          |
| R. V. Briggs, | Horton,       | F. L. Smith,    |
| B. Clark,     | Hutchinson,   | Wilcox,         |
| Dussean,      | Lee,          | J. A. Williams, |
| Eaton,        | Mason,        | Woodard,        |

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Title agreed to.

Mr. Huston, by unanimous consent, moved to take from the table House joint resolution No. 5, entitled

Joint resolution proposing amendments to sections 3 and 4, article 4, section 1, article 7, and section 1, article 17, of the constitution of Michigan, in relation respectively to the apportionment of Representatives, to the qualification of electors, and to the militia;

Which motion prevailed.

The joint resolution reads as follows:

**JOINT RESOLUTION** proposing amendments to sections three and four, article four, section one, article seven, and section one, article seventeen, of the constitution of Michigan, in relation respectively to the apportionment of representatives, to the qualification of electors, and to the militia.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the following amendments to the constitution of this State, to stand respectively as sections 3 and 4, of article 4, section 1, of article 7, and section 1, of article 17, be and the same are hereby proposed, that is to say:

**ARTICLE IV.**

**Sec. 3.** The House of Representatives shall consist of not less than sixty-four, nor more than one hundred members. Representatives shall be chosen for two years, and by single districts. Each representative district shall contain, as nearly as may be, an equal number of inhabitants, exclusive of persons of Indian descent, who are not civilized, or are members of any tribe, and shall consist of convenient and contiguous territory. But no township or city shall be divided in the formation of a representative district. When any township or city shall contain a population which entitles it to more than one representative, then such township or city shall elect by general ticket, the number of representatives to which it is entitled. Each county hereafter organized, with such territory as may be attached thereto, shall be entitled to a separate representative, when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one representative, the board of supervisors shall assemble at such time and place as the Legislature shall prescribe, and divide the same into representative districts, equal to the number of representatives, to which such county is entitled by law, and shall cause to be filed in the offices of the Secretary of State and clerk of such county, a description of such representative districts, specifying the number of each district, and population thereof, according to the last preceding enumeration.

Sec. 4. The Legislature shall provide by law for an enumeration of the inhabitants in the year eighteen hundred and fifty-four and every ten years thereafter; and at the first session after each enumeration so made, and also at the first session after each enumeration by the authority of the United States, the Legislature shall rearrange the Senate districts, and apportion anew the representatives among the counties and districts, according to the number of inhabitants, exclusive of persons of Indian descent, who are not civilized or members of any tribe. Each apportionment, and the division into representative districts by any board of supervisors, shall remain unaltered until the return of another enumeration.

ARTICLE VII.

Sec. 1. In all elections, every male citizen, every male inhabitant, residing in the State on the 24th day of June, 1835; every male inhabitant residing in the State on the first day of January, 1850, who has declared his intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding an election, or who has resided in this State two years and six months, and declared his intention as aforesaid, and every civilized male inhabitant of Indian descent, a native of the United States, and not a member of any tribe, shall be an elector and entitled to vote; but no citizen or inhabitant shall be an elector, or entitled to vote at any election, unless he shall be above the age of twenty-one years, and has resided in this State three months, and in the township or ward in which he offers to vote, ten days next preceding such election: *Provided*, That in time of war, insurrection or rebellion, no qualified elector in the actual military service of the United States, or of this State, in the army or navy thereof, shall be deprived of his vote by reason of his absence from the township, ward or State in which he resides; and the Legislature shall have the power, and shall provide the manner in which, and the time and place at which such absent electors may vote, and for the canvass and return of their votes to the township or ward election district in which they respectively reside, or otherwise.

## ARTICLE XVII.

Sec. 1. The militia shall be composed of all able bodied male citizens between the ages of eighteen and forty-five years, except such as are exempted by the laws of the United States, or of this State; but all such citizens of any religious denomination whatever, who, from scruples of conscience, may be averse to bearing arms, shall be excused therefrom, upon such conditions as shall be prescribed by law.

The said amendments shall be and are hereby submitted to the people at the next general election, to be holden on the Tuesday succeeding the first Monday in November, 1870, as provided in section 1, article 20, of the constitution; and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties of this State, in the same manner that he is now by law required to do in the case of an election of Governor and Lieutenant Governor; and the inspectors of election in the several townships and cities of this State, shall prepare a suitable box for the reception of ballots cast for and against such amendments. Each person voting for said amendments shall have written or printed on his ballot, the words "Amendments as to Impartial Suffrage—Yes;" and each person voting against them, the words "Amendments as to Impartial Suffrage—No." The ballots in all respects shall be canvassed as the votes for Governor and Lieutenant Governor are required to be canvassed.

The joint resolution having been read a third time, and the question being upon its passage,

Mr. Huston demanded the previous question.

The demand was seconded, and the main question ordered;

The joint resolution was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Baxter,

Mr. Horton,  
Hunt,  
Hurlbut,

Mr. Riford,  
Rowlson,  
Sanford,

|               |              |                 |
|---------------|--------------|-----------------|
| Blake,        | Huston,      | Seward,         |
| Bostwick,     | Hutchinson,  | Shaw,           |
| Brynton,      | Ingersoll,   | Shier,          |
| G. G. Briggs, | Jewell,      | Sickels,        |
| Brownell,     | L. Kendrick, | Slayton,        |
| Cameron,      | Kingsley,    | F. L. Smith,    |
| B. Clark,     | Lane,        | R. B. Smith,    |
| O. Clark,     | Lovell,      | Snell,          |
| Crane,        | Mandigo,     | Stannard,       |
| Croesman,     | Mason,       | Stockbridge,    |
| Curry,        | McCowen,     | Swift,          |
| Davis,        | Mead,        | Thompson,       |
| Eck,          | Miller,      | Vowles,         |
| Elliott,      | Millington,  | Wagner,         |
| Fenner,       | Mitchell,    | Walker,         |
| Fuller,       | Murray,      | Walton,         |
| Gifford,      | Newman,      | Ward,           |
| Goodrich,     | Norton,      | Westover,       |
| Grant,        | Osborn,      | J. A. Williams, |
| Hartson,      | Plimpton,    | Yawkey,         |
| Holt,         | Putnam,      | Speaker, 72     |

## NAYS.

|                   |           |                 |
|-------------------|-----------|-----------------|
| Mr. R. V. Briggs, | Mr. Lee,  | Mr. Ternes,     |
| Cogahall,         | McKernan, | Wier,           |
| Dusseau,          | Purcell,  | Wendell,        |
| Eaton,            | Riopelle, | White,          |
| Gay,              | Romeyn,   | Wilcox,         |
| Harris,           | Sheldon,  | W. D. Williams, |
| F. G. Kendrick,   | Stewart,  | Woodard,        |
| Klein,            |           | 22              |

Title agreed to.

## REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred

A bill to define the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of V. A. Saph, R. R. McKiff, Isaac Wilkins and 24 others, citizens of the village of Marine City, county of St. Clair, asking for the passage of a law legalizing the survey made by Charles Palmer, of the village of Marine City, in the year 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be referred to the committee on State affairs, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The recommendation of the committee was concurred in, and the petition was referred to the committee on State affairs.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill No. 44, entitled

A bill to authorize secretaries, or either of the directors of fire, marine or life insurance companies to administer oaths, and take testimony in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |              |                 |
|-------------|--------------|-----------------|
| Mr. Ashley, | Mr. Hurlbut, | Mr. Rowlson,    |
| Avery,      | Huston,      | Sanford,        |
| Baxter,     | Hutchinson,  | Seward,         |
| Blake,      | Ingersoll,   | Shaw,           |
| Bostwick,   | Jewell,      | Sheldon,        |
| Boynton,    | L. Kendrick, | Shier,          |
| Brownell,   | Kingsley,    | Sickels,        |
| Cameron,    | Lane,        | Slayton,        |
| B. Clark,   | Lee,         | F. L. Smith,    |
| O. Clark,   | Lovell,      | Snell,          |
| Crane,      | Mandigo,     | Stannard,       |
| Crossman,   | McCowen,     | Stockbridge,    |
| Curry,      | McKernan,    | Swift,          |
| Davis,      | Mad,         | Ternes,         |
| Dussseau,   | Miles,       | Vowles,         |
| Eaton,      | Miller,      | Wagner,         |
| Eck,        | Millington,  | Walker,         |
| Elliott,    | Mitchell,    | Walton,         |
| Fenner,     | Murray,      | Ward,           |
| Fuller,     | Newman,      | Weier,          |
| Gay,        | Norton,      | Westover,       |
| Gifford,    | Osborn,      | White,          |
| Goodrich,   | Plimpton,    | Wilcox,         |
| Grant,      | Purcell,     | W. D. Williams, |
| Harris,     | Putnam,      | Woodard,        |
| Hartson,    | Riford,      | Yawkey,         |
| Holt,       | Riopelle,    | Speaker,        |
| Hunt,       |              |                 |

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## NAYS.

|                   |                     |                    |
|-------------------|---------------------|--------------------|
| Mr. G. G. Briggs, | Mr. F. G. Kendrick, | Mr. R. B. Smith,   |
| R. V. Briggs,     | Klein,              | Stewart,           |
| Cogshall,         | Mason,              | Wendell,           |
| Horton,           | Romeyn,             | J. A. Williams, 12 |

Title agreed to.

Mr. Mason, by unanimous consent, offered the following:

*Resolved*, That the use of the Hall of the House of Representatives be allowed to Dr. Hempel, of Grand Rapids, or others,

on Monday evening next, for the purpose of delivering a lecture on homeopathy;

Which was adopted.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5, of chapter 185, being section 5800 of the compiled laws;

Also,

A bill to change the name of Albert Jennings, Jr., to Albert Spear Hitchcock, and to make him the heir-at-law of John S. Hitchcock and Elizabeth P. Hitchcock,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the county of Alcona,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. H. CRANE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:



A bill to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865;

Also,

A bill to extend the time for the collection of taxes in the township of Redford, in the county of Wayne;

Also,

A bill to extend the time for the collection of taxes in the township of Macomb, in the county of Macomb;

Also,

A bill to change the name of the township of North Climax, in Benzie county, to Inland.

E. M. MASON, *Chairman.*

Report accepted.

By the committee on elections:

The committee on elections, to whom was referred the memorial of Philo Doty, asking the seat in this House occupied by Franklin L. Smith, from the first representative district of Clinton county, respectfully report:

That they have had the case under consideration something more than thirty days; that during that whole time they have been collecting evidence from all available sources, as to the justice and legality of the claim. This has been no easy task, in the absence of any rule or rules of this House to govern cases of contested elections, or the style and kind of testimony that should be admitted in their examination. In fact, so destitute is this House of any established rule for obtaining testimony for any of its committees, that to this time there is no method of paying witnesses when procured.

Your committee have received and sought all testimony within their reach, and where the same has not to them seemed evidence, have thrown it out, receiving and inspecting in the course of the investigation thirty-one affidavits, and personally examining nine witnesses.

The sitting member, Franklin L. Smith, holds his seat in this House from the 1st representative district of Clinton county, by virtue of the *election certificate*, given him by the board of dis-

strict canvassers, based upon a plurality of two votes over his opponent, Philo Doty.

Westphalia, one of the townships composing said representative district, returned a total vote of 289, of which 21 were for Philo Doty, and 268 for Franklin L. Smith, for representative in the State Legislature.

It appears, from the entire mass of evidence before your committee, that in this township of Westphalia a large number of illegal and fraudulent votes were cast. In fact, we have the affidavit of the Supervisor *himself*, of that township, who, after hearing that a large number of fraudulent votes were claimed, swears that only seven such votes were polled.

As shown by the testimony, there were of fraudulent and illegal voters in this township some 16 aliens, (one of whom voted twice,) and four minors.

But, after the fact of a fraudulent vote is established, another difficulty arises, viz : For whom did the party vote ?

Upon this point *direct* evidence is somewhat difficult to obtain; but your committee are unanimous in this—that the evidence establishes, in this case, that 13 of these illegal votes were cast for Franklin L. Smith. The balance of them, with *strong probabilities* in the same direction, but not being material to the case, or its decision, were passed without discussion.

Your committee do not deem it necessary to cite any authority of ruling or law, upon this subject. When the fact of fraudulent or illegal votes is established, and further, when it is established for whom such votes were cast, every member upon this floor knows what is to be done with such votes.

In Bath, one of the townships composing said representative district, it appears from the evidence before your committee, that two illegal votes were cast, by reason of noncompliance with the registration law. It appears, also, that these votes were cast for Philo Doty.

This completes the case; whereupon, your committee proceed to canvass the changes made in the vote of said representative district: Taking from the total vote of Franklin L. Smith,

thirteen votes; taking from the total vote of Philo Doty, two votes, leaving as a gain to Philo Doty, eleven votes; taking from this the majority of two given in the district canvass to Franklin L. Smith, and we find Philo Doty elected to a seat in this House, by nine majority of the legal votes of his representative district.

Therefore, your committee recommend the adoption of the following resolution:

*Resolved*, That Philo Doty is entitled to the seat in this House occupied by Franklin L. Smith, from the first representative district of Clinton county.

DANIEL L. CROSSMAN, *Chairman*.

Report accepted and committee discharged.

The question being on the adoption of the resolution reported by the committee,

Mr. Dusseau demanded the yeas and nays;

The demand was seconded.

Mr. Wilcox moved to lay the report on the table;

Which motion did not prevail.

The resolution was then adopted, by yeas and nays, as follows:

#### YEAS.

|               |                 |               |
|---------------|-----------------|---------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Rowleson, |
| Avery,        | Huston,         | Sanford,      |
| Baxter,       | Hutchinson,     | Seward,       |
| Blake,        | Ingersoll,      | Shaw,         |
| Bostwick,     | Jewell,         | Sheldon,      |
| Boydton,      | L. Kendrick,    | Shier,        |
| G. G. Briggs, | F. G. Kendrick, | Sickels,      |
| R. V. Briggs, | Kingsley,       | Slayton,      |
| Brownell,     | Klein,          | F. L. Smith,  |
| Cameron,      | Lane,           | R. B. Smith,  |
| B. Clark,     | Lee,            | Snell,        |
| O. Clark,     | Lovell,         | Stannard,     |
| Cogshall,     | Mandgo,         | Stewart,      |
| Crane,        | Mason,          | Stockbridge,  |
| Crossman,     | McCowen,        | Swift,        |
| Curry,        | McKernan,       | Ternes,       |
| Davis,        | Mead,           | Thompson,     |
| Eaton,        | Miles,          | Walker,       |

|           |             |                 |
|-----------|-------------|-----------------|
| Eck,      | Miller,     | Walton,         |
| Elliott,  | Millington, | Ward,           |
| Fenner,   | Mitchell,   | Weier,          |
| Fuller,   | Murray,     | Wendell,        |
| Gay,      | Newman,     | Westover,       |
| Gifford,  | Norton,     | White,          |
| Goodrich, | Osborn,     | Wilcox,         |
| Grant,    | Plimpton,   | H. G. Williams, |
| Harris,   | Parcell,    | J. A. Williams, |
| Hartson,  | Putnam,     | W. D. Williams, |
| Holt,     | Riford,     | Woodard,        |
| Horton,   | Riopelle,   | Yawkey,         |
| Hunt,     | Romeyn,     |                 |

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## NAYS.

Mr. Dumeau,

1

Mr. Doty then came forward, took and subscribed the constitutional oath of office, and took his seat as a member of the House of Representatives of the Legislature of Michigan.

By the committee on fisheries:

The committee on fisheries, to whom was referred the petition of Ebenezer Durkee, and other citizens of Kalamazoo county, praying for the passage of a law to prevent the spearing of fish from March 1st to July 1st,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill for the protection of fish in the inland lakes and streams of the county of Kalamazoo;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to authorize the counties of Bay, Saginaw, Tuscola, Lapeer, Genesee, Oakland, Macomb and Wayne, to aid in the construction of a railway from Detroit to Bay City,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Westover,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, February 12, 1869. }

*To the Legislature:*

I transmit herewith a communication from the Commissioner of the United States General Land Office, at Washington, requesting me to cause a release to be executed by this State to the United States, of 80 acres of land, described as the E  $\frac{1}{2}$  of S E  $\frac{1}{4}$ , section 23, township 14 north, range 12 west.

The application is based upon the following statement:

On the 20th of November, 1855, Samuel Mitchell located at the United States Land Office, at Ionia, the E  $\frac{1}{2}$  of the S E  $\frac{1}{4}$  of section 23, township 14 north, range 12 west. The location was so marked on the plat and entered of record in the Register's office at Ionia, but in making the returns to the General Land Office, at Washington, the location was reported as the E  $\frac{1}{2}$  of the S W  $\frac{1}{4}$  of said section.

As Mr. Mitchell resides upon, has made improvements and paid taxes to the State, on the parcel in the south-east quarter, he desires the patent for that tract, which would be granted were it not that said tract was certified to the State under the act of Congress granting lands to aid in constructing the Flint and Pere Marquette railroad.

It would seem but just that this request should be complied with; but in order that it may, some legislation on the subject will be necessary. I respectfully refer the matter to your consideration.

HENRY P. BALDWIN.

The following is the communication accompanying the message:

DEPARTMENT OF THE INTERIOR, }  
GENERAL LAND OFFICE, }  
February 3d, 1869. }

SIR—On the 20th of November, 1853, Samuel Mitchell located, at the U. S. Land Office, at Ionia, Michigan, the east half of the south east quarter of section 23, township 14 north, range 12 west, with bounty land warrant, act 55, No. 8,131, for 80 acres, war 1812, and the location is so marked on the plat, and entered of record in the register's office, at Ionia, but in preparing the returns for this office, the location was reported as the east half of south west quarter of said section. As Mr. Mitchell resides upon, and has paid taxes to the State authorities for the tract in the south east quarter, he desires that the patent shall be issued to him for that tract, which request seems to be just and proper, and would be complied with, were it not for the fact that said tract was certified to the State of Michigan, under act of Congress, approved June 3d, 1856, granting lands to aid in constructing the Flint & Pere Marquette railroad, per list approved November 1st, 1864.

Under the circumstances, I have to request that you cause a proper release, in favor of the United States, to be executed, and forward the same to this office, for said east half of south east quarter, section 23, township 14 north, range 12 west.

I am, Sir,

With great respect,

Your obt servant,

JOHN S. WILSON,

*Commissioner.*

HIS EXCELLENCY, H. P. BALDWIN, Governor, Lansing, Mich.

On motion of Mr. Mead,

The message and accompanying communication were referred to the committee on public lands.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following:

1. Senate joint resolution No. 2, entitled

Joint resolution for the payment of the claim of William Beard and others;

2. Senate joint resolution No. 5, entitled

Joint resolution to provide for applying the surplus funds in the State treasury, in payment of the interest-bearing bonds of the State;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S SLEEPER,

*Secretary of the Senate.*

The joint resolutions were read a first and second time by their titles, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 51, entitled

A bill to amend section seventeen of an act entitled "An act relative to plank roads," approved March 13, 1848, being section 1868, of the compiled laws;

Which has passed the Senate by a two-thirds vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to authorize school district No. 4, in the township of Mason, in the county of Cass, to issue bonds and borrow money to build a school house in said district;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to incorporate the village of Stanton,

And to inform the House that the Senate has amended the same as follows:



1. In line 3, section 4, by striking out the word "honorably," and inserting in place thereof the word "honestly;"

2. In line 36, section 7, by inserting after the word "cause," the words "the same;"

3. In line 70, section 7, by striking out the word "Eureka," and inserting in place thereof the words "Sidney," or "Day;"

4. In lines 5 and 6, section 10, by striking out the words "in which the same was published;"

5. In section 15, by striking out all after the word "land," in line 4, and inserting in place thereof the words "advertised for delinquent State and county taxes;"

6. In line 1, section 17, by striking out the word "of," where it last occurs, and inserting in place thereof the word "in;"

7. In line 2, section 19, by inserting after the word "appointed," the words "and qualified;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Avery moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Sanford, |
| Avery,        | Hutchinson,     | Seward,      |
| Baxter,       | Ingersoll,      | Shaw,        |
| Blake,        | Jewell,         | Sheldon,     |
| Bostwick,     | L. Kendrick,    | Shier,       |
| G. G. Briggs, | F. G. Kendrick, | Sickels,     |
| Brownell,     | Kingale,        | Slayton,     |
| Cameron,      | Klein,          | Smith,       |
| B. Clark,     | Lane,           | Stannard,    |
| Cogshall,     | Lee,            | Stewart,     |
| Crane,        | Lovell,         | Stockbridge, |
| Crossman,     | Mandigo,        | Swift,       |

|           |             |                 |
|-----------|-------------|-----------------|
| Curry,    | McCowen,    | Ternes,         |
| Davis,    | McKernan,   | Thompson,       |
| Doty,     | Mead,       | Vowles,         |
| Dusseau,  | Miles,      | Wagner,         |
| Eaton,    | Miller,     | Walker,         |
| Eck,      | Mullington, | Walton,         |
| Elliott,  | Mitchell,   | Weier,          |
| Fenner,   | Murray,     | Wendell,        |
| Fuller,   | Newman,     | White,          |
| Gay,      | Norton,     | Wilcox,         |
| Goodrich, | Osborn,     | J. A. Williams, |
| Grant,    | Riford,     | W. D. Williams, |
| Harris,   | Riopelle,   | Woodard,        |
| Horton,   | Romeyn,     | Speaker,        |
| Hunt,     |             |                 |

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## NAYS.

Mr. Plimpton,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 27, entitled

A bill to reorganize the second, and create the fifteenth judicial circuit;

2. Senate bill No. 44, entitled

A bill to organize the county of Osceola;

3. Senate bill No. 45, entitled

A bill to organize the township of Colfax, in the county of Oceana;

4. Senate bill No. 51, entitled

A bill to regulate the manufacture and to provide for the protection of salt;

5. Senate bill No. 58, entitled

A bill to amend section 1, of act No. 291, of the session laws of 1867, entitled "An act to incorporate the village of Hubbardston," approved March 2, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The third and fifth named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The fourth named bill was read a first and second time by its title, and referred to the committee on salt interests.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 26, entitled

A bill to change the name of the village of Centerville, in the county of Tuscola, to that of Caro;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

## NOTICES.

Mr. G. G. Briggs gave notice that on some future day he would ask leave to introduce

A bill to authorize conductors of railroad corporations, while in charge of passenger trains, to perform the duties of special policemen, for the arrest of criminals and other offenders.

Mr. Hunt gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same.

Mr. Blake gave notice that on some future day he would ask leave to introduce

A bill to amend sections four and seven of an act entitled "an act to authorize the township of Holland, and other townships in the counties of Ottawa and Allegan, to make laws and levy taxes for the improvement of the harbor at the mouth of North Black river, in Ottawa county, approved March 2d, 1858;

Also,

A bill to amend and revise an act entitled "An act to incorporate the city of Holland," approved March 25th, 1867.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to amend section 2 of an act entitled "An act to authorize the formation of corporations for mining, smelting, or manufacturing of iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5th, 1853, being section 1600 of the compiled laws;

Also,

A bill to authorize the common council of the village of Houghton to issue bonds for the construction of water works in said village.

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Nashville, in the county of Barry.

Mr. Riford gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Watershet to refund certain moneys advanced by George Parsons in paying bounties, and to levy a tax therefor.

Mr. Plimpton gave notice that on some future day he would ask leave to introduce

A bill to define the fees of justices of the peace in certain cases.

Mr. Snell gave notice that on some future day he would ask leave to introduce

A bill to prevent the shooting of persons in sport.

Mr. Fenner gave notice that on some future day he would ask leave to introduce

A bill for the construction of a State road in Sanilac county and asking for an appropriation of non-resident tax for the same.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 205, of the session laws of 1865, being an act to provide for a tax upon dogs.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Dansville.

#### INTRODUCTION OF BILLS.

Mr Swift, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell Railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Miller, previous notice having been given, and leave being granted, introduced

A bill to revive and continue in force an act entitled an act to charter the village of New Baltimore, approved March 23d, 1867, and to amend sections 1 and 2, of said act.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to provide for the paying of expenses authorized to be incurred by the Legislature.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to legalize the survey of the village of Marine City, county of St. Clair, made in the year 1865.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to organize the county of Wexford.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Newman, previous notice having been given, and leave being granted, introduced

A bill to provide for the draining and reclamation of swamp lands, by means of a State road and ditches, from Traverse Bay, in Iosco county, to the intersection of the Midland and Traverse Bay State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Wendell, unanimous consent being given, introduced

Joint resolution instructing Senators and Representatives of

the State of Michigan, in Congress, relative to the Indian reservation.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages, in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to aid in the completion of a bridge over the Kalamazoo river, between sections 3 and 10, in the township of Cooper, in Kalamazoo county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. B. Clark, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, and State of Michigan, in the consolidation of certain school districts therein.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of a bridge across the Muskegon river, at the village of Big Rapids, in the county of Mecosta.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp

lands, by means of a State road and ditches, from the south-west corner of section 34, town 17 north, range 10 west, Osceola county, thence north to Traverse Bay.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill requiring the Auditor General to provide his official seal for use in his office, in lieu of acknowledgments.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Colfax, in the county of Mecosta.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to authorize booming companies to take private property for the use of such companies.

The bill was read a first and second time by its title, and referred to the committee on lumber interests.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to organize the county of Benzie.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from the east arm of Grand Traverse Bay, to Houghton Lake.

The bill was read a first and second time by its title, and referred to the committee on public lands.



## THIRD READING OF BILLS.

House bill No. 49, entitled

A bill to amend an act entitled an act to prevent fishing with seines, and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Calhoun and Macomb, approved March 9th, 1867,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr Miller moved to recommit the bill to the committee on fisheries;

Which motion did not prevail.

Mr. Miller moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Riford,     |
| Avery,        | Hunt,           | Riopelle,       |
| Baxter,       | Hurlbut,        | Romeyn,         |
| Blake,        | Hutchinson,     | Shaw,           |
| Bostwick,     | Jewell,         | Shier,          |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Cameron,      | Kingsley,       | Snell,          |
| B. Clark,     | Lane,           | Swift,          |
| Cogehall,     | Lee,            | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Vowles,         |
| Davis,        | McCowen,        | Wagner,         |
| Dumsean,      | McKernan,       | Walker,         |
| Eaton,        | Miles,          | Walton,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Wilcox,         |
| Fuller,       | Newman,         | J. A. Williams, |
| Gay,          | Norton,         | W. D. Williams, |
| Grant,        | Plimpton,       | Woodard,        |
| Hartson,      | Purcell,        | Speaker,        |
| Holt,         | Putnam,         |                 |

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## NAYS.

|                   |               |              |
|-------------------|---------------|--------------|
| Mr. G. G. Briggs, | Mr. Ingemoll, | Mr. Sheldon, |
| O. Clark,         | Lovell,       | Smith,       |

|           |          |              |
|-----------|----------|--------------|
| Curry,    | Mead,    | Stannard,    |
| Gifford,  | Miller,  | Stewart,     |
| Goodrich, | Osborn,  | Stockbridge, |
| Harris,   | Rowlson, | Wendell      |
| Hubbard,  | Sanford, | Westover,    |
| Huston,   | Seward,  | Yawkey,      |

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Mr. Horton moved to amend the title by inserting before the word "Calhoun," the word "Genesee;"

Which was agreed to.

The title as amended, was agreed to.

House joint resolution No. 6, entitled

Joint resolution for the relief of Theron Ford,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,    | Mr. Seward,     |
| Avery,        | Hurlbut,     | Shaw,           |
| Baxter,       | Huston,      | Sheldon,        |
| Bostwick,     | Hutchinson,  | Shier,          |
| Boynnton,     | Ingersoll,   | Sickels,        |
| G. G. Briggs, | Jewell,      | Slayton,        |
| R. V. Briggs, | L. Kendrick, | Smith,          |
| Cameron,      | Kingsley,    | Snell,          |
| B. Clark,     | Lane,        | Stannard,       |
| O. Clark,     | Lee,         | Stewart,        |
| Cogshall,     | Mandigo,     | Stockbridge,    |
| Crane,        | Mason,       | Swift,          |
| Crossman,     | McCowen,     | Ternes,         |
| Curry,        | McKernan,    | Thompson,       |
| Davis,        | Mead,        | Vowles,         |
| Doty,         | Miles,       | Wagner,         |
| Dusseau,      | Miller,      | Walker,         |
| Eaton,        | Millington,  | Walton,         |
| Eck,          | Mitchell,    | Ward,           |
| Elliott,      | Murray,      | Weier,          |
| Fenner,       | Newman,      | Westover,       |
| Fuller,       | Norton,      | White,          |
| Gay,          | Osborn,      | Wilcox,         |
| Gifford,      | Purcell,     | J. A. Williams, |
| Goodrich,     | Putnam,      | W. D. Williams, |
| Grant,        | Riford,      | Woodard,        |
| Harris,       | Riopelle,    | Yawkey,         |
| Hartson,      | Rowlson,     | Speaker,        |
| Holt,         | Sanford,     |                 |

## NAYS.

Mr. Horton,                      Mr. F. G. Kendrick, Mr. Wendell,                      3  
Title agreed to.

Mr. Plimpton moved that the House take a recess until two o'clock this afternoon.

Mr. Sanford moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess until two o'clock, then prevailed.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Miles asked and obtained the consent of the House to record his vote against the passage of House joint resolution No. 5, passed this forenoon, being

Joint resolution proposing amendments to sections three and four, article four, section one, article seven, and section one, article seventeen, of the constitution of Michigan, in relation respectively to the apportionment of Representatives, to the qualification of electors, and to the militia.

The House then resumed business under the order of

## THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to amend act No. 77, of the laws of 1861, entitled "An act to amend section 5 of an act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 8, 1861,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Baxter moved to amend by inserting after the word "parsonage," in section 9, the following: "Also, all dwelling houses, buildings, lots and appurtenances rented by clergymen officiating as pastors, rectors or stated supply to any religious churches or congregation in this State."

On motion of Mr. Slayton,

The bill was laid on the table, and ordered printed.

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Marquette, in the county of Marquette, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Huston,     | Mr. Seward,     |
| Baxter,       | Hutchinson,     | Shaw,           |
| Bostwick,     | Ingersoll,      | Sheldon,        |
| Boynton,      | Jewell,         | Shier,          |
| G. G. Briggs, | L. Kendrick,    | Sickels,        |
| R. V. Briggs, | F. G. Hendrick, | Slayton,        |
| Brownell,     | Kingsley,       | Smith,          |
| Cameron,      | Klein,          | Snell,          |
| B. Clark,     | Lane,           | Stamard,        |
| O. Clark,     | Lee,            | Stewart,        |
| Ogahall,      | Lovell,         | Stockbridge,    |
| Crane,        | Mandigo,        | Swift,          |
| Crossman,     | McCowen,        | Ternes,         |
| Curry,        | McKernan,       | Vowles,         |
| Davis,        | Mead,           | Wagner,         |
| Doty,         | Miles,          | Walker,         |
| Dusseau,      | Miller,         | Walton,         |
| Eaton,        | Millington,     | Ward,           |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fenner,       | Newman,         | Westover,       |
| Fuller,       | Norton,         | White,          |
| Gay,          | Plimpton,       | Wilcox,         |
| Gifford,      | Purcell,        | H. G. Williams, |
| Gwent,        | Putnam,         | J. A. Williams, |
| Harris,       | Riford,         | W. D. Williams, |
| Hartson,      | Riopelle,       | Woodard,        |
| Horton,       | Romeyn,         | Yawkey,         |
| Hunt,         | Rowson,         | Speaker,        |
| Hurlbut,      | Sanford,        |                 |

NAYS.

29

0

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Jackson, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Rowles,     |
| Baxter,       | Huston,         | Sanford,        |
| Blake,        | Hutchinson,     | Seward,         |
| Bostwick,     | Ingersoll,      | Shaw,           |
| Boynston,     | Jewell,         | Sheldon,        |
| G. G. Briggs, | L. Kendrick,    | Shier,          |
| R. V. Briggs, | F. G. Kendrick, | Sickels,        |
| Brownell,     | Kingsley,       | Slayton,        |
| Cameron,      | Klein,          | Snell,          |
| B. Clark,     | Lane,           | Stannard,       |
| O. Clark,     | Lee,            | Stewart,        |
| Cogswell,     | Lovell,         | Stockbridge,    |
| Crane,        | Mason,          | Swift,          |
| Crossman,     | McCowan,        | Ternes,         |
| Curry,        | McKernan,       | Vowles,         |
| Davis,        | Mead,           | Wagner,         |
| Dussaux,      | Miles,          | Walker,         |
| Eaton,        | Miller,         | Walton,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Wendell,        |
| Fuller,       | Newman,         | Westover,       |
| Gay,          | Norton,         | White,          |
| Gifford,      | Osborn,         | Wilcox,         |
| Goodrich,     | Plimpton,       | H. G. Williams, |
| Grant,        | Purcell,        | J. A. Williams, |
| Harris,       | Putnam,         | W. D. Williams, |
| Hartson,      | Riford,         | Woodard,        |
| Horton,       | Riopelle,       | Yawkey,         |
| Hunt,         | Romeyn,         | Speaker,        |
|               | NAYS.           | 90              |
|               |                 | 0               |

Title agreed to.

On motion of Mr. Eaton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Rowison,    |
| Avery,        | Hurlbut,        | Seward,         |
| Baxter,       | Huston,         | Shaw,           |
| Blake,        | Hutchinson,     | Sheldon,        |
| Bostwick,     | Ingersoll,      | Shier,          |
| G. G. Briggs, | L. Kendrick,    | Sickels,        |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Brownell,     | Kingsley,       | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lane,           | Stewart,        |
| O. Clark,     | Lee,            | Stockbridge,    |
| Cogshall,     | Lovell,         | Swift,          |
| Crane,        | Mason,          | Ternes,         |
| Crossman,     | McCowen,        | Vowles,         |
| Curry,        | Mead,           | Wagner,         |
| Davis,        | Miles,          | Walker,         |
| Dusseau,      | Miller,         | Walton,         |
| Eaton,        | Millington,     | Ward,           |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fenner,       | Newman,         | Westover,       |
| Fuller,       | Norton,         | Wilcox,         |
| Gay,          | Osborn,         | H. G. Williams, |
| Gifford,      | Plimpton,       | J. A. Williams, |
| Goodrich,     | Purcell,        | W. D. Williams, |
| Grant,        | Putnam,         | Woodard,        |
| Harris,       | Riford,         | Yawkey,         |
| Hartson,      | Riopelle,       | Speaker,        |
| Horton,       | Romeyn,         |                 |
|               | NAYS.           |                 |

86

0

Title agreed to.

On motion of Mr. Ternes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to change the name of Charles William Courser to Charles William Noyes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Sanford,    |
| Avery,        | Hurlbut,        | Seward,         |
| Baxter,       | Huston,         | Shaw,           |
| Blake,        | Hutchinson,     | Sheldon,        |
| Bostwick,     | Ingersoll,      | Shier,          |
| Boynton,      | Jewell,         | Sickels,        |
| G. G. Briggs, | L. Kendrick,    | Slayton,        |
| Brownell,     | F. G. Kendrick, | Snell,          |
| Cameron,      | Kingsley,       | Stannard,       |
| B. Clark,     | Klein,          | Stewart,        |
| O. Clark,     | Lane,           | Stockbridge,    |
| Cogshall,     | Lee,            | Swift,          |
| Crane,        | Lovell,         | Ternee,         |
| Crossman,     | McCowen,        | Vowles,         |
| Curry,        | McKernan,       | Wagner,         |
| Davis,        | Mead,           | Walker,         |
| Dusseau,      | Miller,         | Walton,         |
| Eaton,        | Millington,     | Ward,           |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fenner,       | Newman,         | Westover,       |
| Fuller,       | Norton,         | White,          |
| Gay,          | Osborn,         | Wilcox,         |
| Gifford,      | Plimpton,       | H. G. Williams, |
| Goodrich,     | Purcell,        | J. A. Williams, |
| Grant,        | Putnam,         | W. D. Williams, |
| Harris,       | Riford,         | Woodard,        |
| Hartson,      | Riopelle,       | Yawkey,         |
| Horton,       | Rowlson,        | Speaker, 87     |

## NAYS.

Mr. Miles, 1

Title agreed to.

On motion of Mr. Fenner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Horton offered the following:

*Resolved*, That the daily sessions of the House be at 9 o'clock A. M., until further ordered;

Which was adopted.

Mr. Wilcox moved to reconsider the vote by which the House passed House bill No. 49, entitled

A bill to amend an act entitled "An act to prevent fishing with seines, and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Mont, Ionia, Calhoun and Macomb," approved March 2, 1867;

Which motion prevailed.

On motion of Mr. Wilcox,

The bill was recommitted to the committee on fisheries.

Mr. Shaw offered the following:

*Resolved*, That the Secretary of State be and he is hereby requested to furnish this House an abstract of the annual reports for 1868, of all insurance companies organized under the laws of this State, giving information—

1st. As to stock companies; the name of the company; its location; the amount of its actual paid up capital, and of what the same consists, or in what it is invested; its losses and expenses for the past year, and its liabilities of all kinds;

2d. As to mutual companies; the name of the company; its location; the amount of its actual assets, and of what they consist; the amount of assessments levied the past year; amount of the same collected; whole amount of assessments not paid; amount of losses and expenses the past year, and the amount of its liabilities of all kinds;

And that he also report whether any companies have failed to comply with the law as to making an annual report, and if so, the names of the companies;

Which was adopted.

Mr. Ingersoll moved that the committee on banks and incorporations be discharged from the further consideration of two



remonstrances presented this morning, against the incorporation of the city of Corunna;

Which motion prevailed.

On motion of Mr. Ingersoll,

The remonstrances were laid on the table.

Mr. Miles moved to take from the table House manuscript bill, entitled

A bill to repeal act 141, of session laws of 1859, and revise section 1, of chapter 46, of the revised statutes of 1846;

Which motion prevailed.

Mr. Miles then offered the following as a substitute therefor:

**A BILL**, to amend section one, of act No. 141, of the session laws of 1859, approved Feb. 12, 1859, entitled "An act to amend chapter forty-six, of the revised statutes of eighteen hundred and forty-six," entitled "of timber and lumber floating upon waters, or carried upon adjoining lands," being section fifteen hundred and ninety-nine of the compiled laws, as amended.

**SECTION 1.** *The People of the State of Michigan enact, That* section one, of act No. 141, of the session laws of eighteen hundred and fifty-nine, approved February 12, 1859, be and the same is hereby amended so as to read as follows:

**SECTION 1.** Whenever any logs, timber, boards, or planks, in rafts or otherwise, shall be drifted upon any island, in any of the waters of this State, or upon the banks or shores of such waters, the owners of such timber, logs or lumber, may at any time within one year, remove the same, on paying or tendering to the owner or occupant of any improved land upon which the same may be, such reasonable damages as may have been caused by such logs, timber or lumber floating and remaining upon such improved land. Such damage shall first be ascertained and fixed, by and before any justice of the peace of the township where such logs, timber or lumber may have floated and remained, in a proceeding by the owner or claimant of such property, in the nature of an action of replevin or trover; or upon the petition of any party in interest, an issue upon the question of damages, may be otherwise formed, and tried

by and before such justice, in such manner and upon such notice to the other parties in interest, as such justice may direct. And if the owner of such logs, timber or lumber shall not, within one year from the fixing of such damages, make payment, or tender to the party or parties damnified, of the damages so ascertained and fixed, and take such logs, timber or lumber from said lands, \* \* \* the owners or occupants of such lands, upon which such logs, timber or lumber may have so floated and remained, may, upon petition presented and filed with such justice, reciting the facts, and under the direction of such justice, have such logs, timber or lumber condemned and assigned to him, such owner or occupant, in satisfaction of his claim for damages so as aforesaid fixed, or such logs, timber or lumber may be sold by the judgment or order of such justice, by any constable of such township, and the proceeds applied in payment of such damage, and the costs, and the surplus, if any, shall be paid to the township treasurer, to the credit of the primary school of said township;

Which was adopted.

On motion of Mr. Miles,

The bill was referred to the committee on agriculture.

UNFINISHED BUSINESS,

Being the consideration of the following:

*Resolved*, (the Senate concurring,) That in view of the humiliating, vascilating and disgraceful conduct of Reverdy Johnson, U. S. Minister to Great Britain, that our Senators and Representatives in Congress be and are hereby requested to use their utmost influence, and all honorable means, to secure, at the earliest possible moment, the recall of said Mr. Johnson.

On motion of Mr. Cameron,

The resolution was laid on the table.

SPECIAL ORDER,

Being the consideration of House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or

organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan.

Mr. Yawkey moved that the House go into committee of the whole, on the special order.

Mr. Swift moved to postpone the further consideration of the bill on the special order, until Tuesday afternoon, at 2 o'clock;

Which motion prevailed.

GENERAL ORDER.

On motion of Mr. Swift,

The House went into committee of the whole, on the general order,

Mr. Gay in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bill:

1. House bill No. 23, entitled

A bill to incorporate the village of Lawton;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. House bill No. 42, entitled

A bill to amend section 5654, of the compiled laws, in relation to fees of jurors in justices' courts and in special cases;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

MYLO L. GAY, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading.

On motion of Mr. Baxter,

The House concurred in the amendments made to the second named bill, and it was placed on the order of third reading.

On motion of Mr. Yawkey,

The House adjourned until Monday morning at 10 o'clock.

*Lansing, Monday, February 15, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave: Messrs. Barnaby, Crossman, Doty, Eaton, Goodrich, Hubbard, Lane, Miller and Weier.

Mr. Hutchinson asked and obtained leave of absence for Mr. Goodrich, for the day.

Mr. Hutchinson asked and obtained leave of absence for Mr. Hubbard, for the day.

Mr. F. G. Kendrick asked and obtained leave of absence for Mr. Lane, for the day.

Mr. Mead asked and obtained leave of absence for Mr. Miller, for the day.

Mr. Woodard asked and obtained leave of absence for Mr. Weier, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Smith: petition of H. Barton and 85 others, asking that act number 297, of the session laws of 1865, be amended by the appointment of two new commissioners, who shall have power to collect and receive all moneys, and appropriate the same according to the terms of said act.

Referred to the committee on roads and bridges.

By Mr. Smith: petition of S. A. Yeomans and 117 others, asking for an appropriation of swamp lands, for the purpose of opening the Grand river turnpike, from the east line of the town of Danby, in Ionia county, to the west line of the town of Boston.

Referred to the committee on public lands.

By Mr. Smith: petition of Jay Olmstead and 150 others, asking that act number 30, of the session laws of 1864, be amended, so that the lands appropriated in said law may be selected from any part of the Lower Peninsula, and that Mortimer Gillet be appointed the commissioner of said road.

Referred to the committee on public lands.

By Mr. Slayton: remonstrance of J. Howard Smith, M. D., James W. Hine, James P. Mills, Ed. L. Irish, A. M. Ellsworth, Thomas Tate, O. C. McDonnell, M. D., E. R. Stiles, M. H. Norton, N. A. Stone and 58 others, citizens of Lowell and vicinity, against the repeal of the law of 1855, touching the establishment of a chair of homeopathy in the State University, and petition of the same that a homeopathic branch of the University be established.

Referred to the committee on education.

By Mr. L. Kendrick: petition of L. Calkins, E. H. Black and 58 others, citizens of Lapeer county, asking an extension of the Capac State road two miles further west, and asking an appropriation of swamp land in aid of such extension.

Referred to the committee on public lands.

By Mr. Brownell: petition of Emmet Robert Skinner, for change of name.

Referred to the committee on State affairs.

By Mr. Cameron: petition of O. N. Giddings, John C. Bassett, Henry E. Hoyt and 25 others, citizens of Kalamazoo, praying for the passage of a law authorizing the board of supervisors of Kalamazoo county, to raise, by tax, a sum of money for the benefit of the widow of the late sheriff, Benjamin F. Orcutt.

Referred to the committee on State affairs.

By Mr. Mitchell: remonstrance of P. K. Sampson and 52 others, citizens of East Bay township, Grand Traverse county, against the setting off of any of the territory of Grand Traverse county, to the county of Antrim;

Also, remonstrance of J. B. Haviland and 57 others, for the same purpose;

Also, remonstrance of D. C. Leach, S. Barnes, R. Goodrich and 88 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Hurlbut: remonstrance of H. Chatfield, S. H. Bailey and 51 others, residents of South Haven, against the incorporation of the village of South Haven.

Referred to the committee on banks and incorporations.

By Mr. Mitchell: petition of D. E. Cushman, Charles Russell and 119 others, asking that certain territory in the county of Grand Traverse may be attached to the county of Antrim.

Referred to the committee on towns and counties.

By Mr. Wendell: petition of John S. Dixon, Philo Beers and 57 others, asking legislation for Emmet county, &c.

Referred to the committee on towns and counties.

By Mr. Ingersoll: memorial of F. M. Foster, Grand Secretary of the Grand Lodge of I. O. O. F., State of Michigan, asking an amendment to the act for the incorporation of Odd Fellows' lodges.

Referred to the committee on State affairs.

By Mr. Sanford: petition of T. M. Howe, John Broad, Ben. B. Baker and 199 others, citizens of the county of Ingham, praying for an equalization of bounties to soldiers.

Referred to the committee on military affairs.

Mr. Sanford moved that the petition be ordered printed in the Journal;

Which motion did not prevail.

By Mr. Holt: petition of Wm. Hebard, H. A. Pattison, R. W. Taylor and 225 others, citizens of Muskegon county, praying for the passage of a mechanics' lien law.

Referred to the committee on State affairs.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1 of an act entitled "An act rendering persons disqualified for sitting as jurors in certain cases," approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary have instructed me to report the accompanying bill, entitled

A bill to amend section 15 of an act entitled "An act to provide for the incorporation of villages," approved February 17, 1857, being section 2112 of compiled laws,

And recommend its passage.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4342, of the compiled laws, the same being section 4, of act No. 125, of the session laws of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to prevent trespass upon cranberry marshes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. T. LOVELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to legalize the action of certain townships in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to authorize school district number four, in the township of Mason, in the county of Cass, to issue bonds and borrow money to build a school-house in said district;

Also,

A bill to change the name of the village of Centreville, in the county of Tuscola, to that of Caro.

EDWARD M. MASON, *Chairman*.

Report accepted.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred



A bill to provide for the construction of Port Sanilac and Tuscola State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for a bridge across the Muskegon river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The bill was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Mayfield, in Lapeer county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. H. CRANE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the township of Bennington, in the county of Shiawassee, to raise a certain tax for the relief of Geo. W. Hunt,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

An act to authorize the electors of the township of Bennington, in the county of Shiawassee, to raise by tax a sum not to exceed three hundred dollars, to pay George W. Hunt on account of enlisting in the military service of the United States, and being credited on the quota of said township on the draft of 1864;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend act No. 55, of the session laws of 1864, by substituting for section 2 of said act, a new section, to stand as section 2 of the act, making an additional appropriation of swamp lands for State roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, have instructed me to report the following bill, entitled

A bill to delocalize State swamp land appropriations heretofore made for drainage and reclamation, by means of State roads and ditches;

And recommend that it do pass, and ask to be discharged from the farther consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on salines:

The committee on salines, to whom was referred Senate bill No. 54, entitled

A bill to regulate the manufacture and provide for the inspection of salt,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. YAWKEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 13, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 21, entitled

A bill to incorporate the city of Hillsdale;

2. Senate bill No. 43, entitled

A bill to amend section 2017, of the compiled laws, being section 9, of chapter 68, of the compiled laws, relative to religious societies, as amended by section 2, of act No. 147, of session laws of 1861;

3. Senate bill No. 67, entitled

A bill to amend section 14 of an act entitled "An act to incorporate the village of Dexter," approved Feb. 12, 1855;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and third named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

#### NOTICES.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1, 3 and 7, of act No. 236, of the session laws of 1863, entitled "An act to provide for the protection of game in the State of Michigan," approved March 20, 1863; and act No. 278, of the session laws of 1865, entitled "An act to amend section 2 of an act entitled an act to provide for the protection of game in the State of Michigan, being act 236, of the session laws of 1863," approved March 20, 1863.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to change the time of holding probate court in the county of Leelanaw.

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to provide for current expenses of the Deaf and Dumb and Blind Asylum, for 1869 and 1870; also for a deficiency in 1867 and 1868; also for completing the main building of that Asylum, and various other improvements connected therewith.

Mr. R. V. Briggs gave notice that on some future day he would ask leave to introduce

Joint resolution proposing an amendment to section 9, of article 10, of the constitution of this State, relative to allowing the boards of supervisors of counties to raise by tax two thousand dollars, for the purpose of constructing or repairing public buildings, highways or bridges.

Mr. Miles gave notice that on some future day he would ask leave to introduce

A bill to provide for the payment of taxes levied and assessed upon lands purchased and held for the non-payment of taxes.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to amend section No. 3, of act No. 207, of the session laws of 1865, relative to the election of superintendents of the poor.

Mr. L. Kendrick gave notice that on some future day he would ask leave to introduce

A bill to regulate the discipline in the State Prison, as applied to persons confined therein.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to aid in the improvement of the Saginaw and Gratiot State road, and apply certain non-resident highway taxes thereon.

Mr. Yawkey gave notice that on some future day he would ask leave to introduce

A bill to provide for the completion of the geological survey of the State.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to authorize the formation of corporations for the purpose of improving the navigation of rivers.

#### INTRODUCTION OF BILLS.

Mr. Snell, previous notice having been given, and leave being granted, introduced

A bill to prevent the shooting of persons in sport.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Thompson, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Miles, unanimous consent being given, and leave being granted, introduced

A bill to enable the Lapeer and Port Huron Plank Road Company to charge and receive additional tolls over their road.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to define the fees of justices of the peace in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lovell, previous notice having been given, and leave being granted, introduced

A bill to amend section two, of act number 185, of session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Hunt, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Purcell, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 56 of the compiled laws, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for cost in justices' courts," as amended by act number 186, of the session laws of 1863, approved March 20, 1863.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to repeal section 6, and amend section 9, of act No. 205, of the session laws of 1865, being an act entitled "an act to provide a tax upon dogs."

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 246, of the session laws of 1867, being an act to amend an act entitled "an act to connect the Duncan, Alpena and Sauble river State road, with the East Saginaw and Sauble river State road, by adding a new section thereto, to stand as section 5."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road in Houghton county, to be known as the Portage river and Torch lake State road, and to provide for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of supervisors of the county of Kalamazoo to raise by tax upon the real and personal property within the county of Kalamazoo, not exceeding the sum of \$2,000, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orcutt, deceased.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riford, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Watervleit to refund certain moneys advanced by George Parsons, in paying bounties, and to levy taxes therefor.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

#### THIRD READING OF BILLS.

House bill No. 23, entitled

A bill to incorporate the village of Lawton,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved to amend the bill, by striking out in line 3, of section 1, the words "north-west quarter," and inserting in lieu thereof, the words "west half;"

Which was agreed to.

The bill was then lost, a majority of all the members elect not voting therefor, by yeas and nays, as follows:



## YEAS.

|                 |             |                 |
|-----------------|-------------|-----------------|
| Mr. Avery,      | Mr. Lovell, | Mr. Smith,      |
| Boynton,        | Mandigo,    | Stannard,       |
| R. V. Briggs,   | McCowen,    | Stewart,        |
| Cameron,        | McKernan,   | Stockbridge,    |
| Fuller,         | Miles,      | Ternes,         |
| Gay,            | Mitchell,   | Thompson,       |
| Gifford,        | Norton,     | Wagner,         |
| Harrison,       | Plimpton,   | Wendell,        |
| Holt,           | Purcell,    | White,          |
| Horton,         | Ri'ord,     | Wilcox,         |
| Hunt,           | Riopelle,   | H. G. Williams, |
| Hurlbut,        | Romeyn,     | W. D. Williams, |
| F. G. Kendrick, | Rowlson,    | Woodard,        |
| Klein,          | Seward,     | Yawkey, 42      |

## NAYS.

|             |              |                 |
|-------------|--------------|-----------------|
| Mr. Ashley, | Mr. Grant,   | Mr. Putnam,     |
| Baxter,     | Huston,      | Sanford,        |
| Bostwick,   | Hutchinson,  | Shaw,           |
| Brownell,   | Jewell,      | Sheldon,        |
| B. Clark,   | L. Kendrick, | Shier,          |
| O. Clark,   | Kingalev,    | Sickels,        |
| Cogshall,   | Lee,         | Slayton,        |
| Curry,      | Mason,       | Snell,          |
| Davis,      | Mead,        | Swift,          |
| Dusseau,    | Millington,  | Walker,         |
| Eck,        | Murray,      | Walton,         |
| Elliott,    | Newman,      | J. A. Williams, |
| Fenner,     | Osborn,      | Speaker, 39     |

Pending the announcement of the vote,

Mr. Morton moved that Mr. Mead be excused from voting;

Which motion did not prevail.

Mr. Mead then voted as recorded above.

Mr. Slayton moved to reconsider the vote by which the bill was lost;

Which motion prevailed.

On motion of Mr. Slayton,

The bill was recommitted to the committee on banks and incorporations.

House bill No. 42, entitled

A bill to amend section 5654, of the compiled laws, in relation to fees of jurors in justices' courts, and in special cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |                 |                 |
|-------------|-----------------|-----------------|
| Mr. Ashley, | Mr. Jewell,     | Mr. Shaw,       |
| Baxter,     | L. Kendrick,    | Sheldon,        |
| Bostwick,   | F. G. Kendrick, | Shier,          |
| Brownell,   | Kingsley,       | Sickels,        |
| Cameron,    | Klein,          | Smith,          |
| B. Clark,   | Lee,            | Snell,          |
| O. Clark,   | Lovell,         | Stannard,       |
| Cogshall,   | Mandigo,        | Stewart,        |
| Crane,      | Mason,          | Stockbridge,    |
| Curry,      | McCowen,        | Swift,          |
| Davis,      | McKernan,       | Ternes,         |
| Eck,        | Mead,           | Thompson,       |
| Elliott,    | Mullington,     | Wagner,         |
| Fuller,     | Mitchell,       | Walker,         |
| Gay,        | Murray,         | Walton,         |
| Gifford,    | Newman,         | Wendell,        |
| Grant,      | Norton,         | White,          |
| Hartson,    | Osborn,         | Wilcox,         |
| Holt,       | Purcell,        | H. G. Williams, |
| Horton,     | Putnam,         | J. A. Williams, |
| Hunt,       | Ritord,         | W. D. Williams, |
| Huribut,    | Rowlson,        | Yawkey,         |
| Huston,     | Sanford,        | Speaker,        |
| Hutchinson, | Seward,         |                 |

71

## NAYS.

|               |            |             |
|---------------|------------|-------------|
| Mr. Avery,    | Mr. Miles, | Mr. Romeyn, |
| Bonnton,      | Plimpton,  | Slayton,    |
| R. V. Briggs, | Riopelle,  | Woodard,    |
| Dussean,      |            |             |

10

Title agreed to.

Mr. Cameron moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. Walker moved that the vote by which the House agreed to the title of the bill, be reconsidered;

Which motion prevailed.

Mr. Cogshall moved to amend the title by striking out all after the words "fees of jurors;"

Which motion prevailed.

The title, as amended, was agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. W. D. Williams offered the following:

*Resolved*, That the committee on the judiciary be and they hereby are instructed to inquire into the propriety of amending the constitution of the State, by increasing the salaries of State officers, and that they report the results of their deliberations, by joint resolution or otherwise;

Which was adopted.

Mr. Gifford offered the following:

*Resolved*, That when the committee on State Prison visit the Prison, they shall also visit the House of Correction, at Detroit, and make a general report of both at the same time, as recommended by the Governor;

Which was adopted.

Mr. Romeyn moved to discharge the committee of the whole from the further consideration of Senate bill No. 22, entitled

A bill to authorize the water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water works of said city;

Which motion prevailed.

On motion of Mr. Plimpton,

The rules were suspended, and the bill was placed upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Miles moved to amend by striking out in line 11, of section 1, the word "auditor," and inserting the word "controller" in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
Bostwick,  
Boynton,

Mr. Hutchinson,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,

Mr. Seward  
Shaw,  
Sheldon,  
Shier,  
Sickels,

|               |             |                 |
|---------------|-------------|-----------------|
| R. V. Briggs, | Klein,      | Slayton,        |
| Brownell,     | Lee,        | Smith,          |
| Cameron,      | Lovell,     | Snell,          |
| B. Clark,     | Maudigo,    | Stannard,       |
| O. Clark,     | Mason,      | Stewart,        |
| Cogshall,     | McCowen,    | Stockbridge,    |
| Crane,        | McKernan,   | Swift,          |
| Curry,        | Mead,       | Ternes,         |
| Davis,        | Miles,      | Thompson,       |
| Dusseau,      | Millington, | Vowles,         |
| Eck,          | Mitchell,   | Wagner,         |
| Elliott,      | Murray,     | Walker,         |
| Fenner,       | Newman,     | Walton,         |
| Fuller,       | Norton,     | Wendell,        |
| Gay,          | Osborn,     | White,          |
| Gifford,      | Plimpton,   | Wilcox,         |
| Grant,        | Purcell,    | H. G. Williams, |
| Hartson,      | Putnam,     | J. A. Williams, |
| Holt,         | Riford,     | W. D. Williams, |
| Horton,       | Riopelle,   | Woodard,        |
| Hunt,         | Romeyn,     | Yawkey,         |
| Hurlbut,      | Rowson,     | Speaker,        |
| Huston,       | Sanford,    | 83              |
|               | NAYS.       | 0               |

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Osborn moved to discharge the committee of the whole from the further consideration of House bill No. 61, entitled

A bill to amend an act entitled "An act to incorporate the public schools of the village of Hudson;"

Which motion prevailed.

On motion of Mr. Osborn,

The rules were suspended, and the bill was put on its immediate passage.

The bill was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Osborn moved to amend the bill by inserting in line 10, of recited section 1, after the word "thirteen," the words "the

outheast quarter of the northeast quarter of section twenty-four;"

Also, by inserting in line 21, of recited section 1, after the word "free," the words "for at least six months in the year;"

Which amendments were agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hutchinson, | Mr. Rowlson,    |
| Avery,        | Ingersoll,      | Sanford,        |
| Baxter,       | Jewell,         | Seward,         |
| Bostwick,     | L. Kendrick,    | Shaw,           |
| Boynton,      | F. G. Kendrick, | Sheldon,        |
| R. V. Briggs, | Kingsley,       | Shier,          |
| Brownell,     | Klein,          | Sickels,        |
| Cameron,      | Lee,            | Slayton,        |
| B. Clark,     | Lovell,         | Snell,          |
| O. Clark,     | Mandigo,        | Stannard,       |
| Cogshall,     | Mason,          | Stewart,        |
| Crane,        | McCowan,        | Stockbridge,    |
| Curry,        | McKernan,       | Swift,          |
| Davis,        | Mead,           | Ternes,         |
| Dussean,      | Miles,          | Thompson,       |
| Eck,          | Mullington,     | Vowles,         |
| Elliott,      | Mitchell,       | Walker,         |
| F. nner,      | Murray,         | Walton,         |
| Fuller,       | Newman,         | Ward,           |
| Gay,          | Norton,         | Wendell,        |
| Gifford,      | Osborn,         | White,          |
| Grant,        | Plimpton,       | Wilcox,         |
| Hartson,      | Purcell,        | H. G. Williams, |
| Holt,         | Putnam,         | J. A. Williams, |
| Horton,       | Riford,         | W. D. Williams, |
| Hunt,         | Riopelle,       | Woodard,        |
| Hurlbut,      | Romeyn,         | Speaker,        |
| Huston,       |                 | 82              |

## NAYS.

0

Mr. Slayton moved to amend the title by adding thereto the words "approved March 25, 1867;"

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. Rowlson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Shier moved to take from the table House manuscript bill, entitled

A bill to provide for the construction of a bridge across the Muskegon river at the village of Big Rapids, in the county of Mecosta,

Which motion prevailed.

On motion of Mr. Shier,

The bill was referred to the committee on public lands.

Mr. Fuller offered the following:

*Whereas*, A certain petition, signed by D. A. Blodgett and 346 others, and a certain other petition, signed by James G. Robbins and 123 others, each praying for the organization of the unorganized county of Osceola, have been heretofore presented to the Honorable Senate, and referred to the committee on towns and counties;

*And whereas*, A bill has passed the Senate for the organization of said county of Osceola, and is now before the House; therefore,

*Resolved*, That the Honorable Senate be and hereby is respectfully requested, to transmit said petitions to this House, in order that they may be referred to the committee on towns and counties thereof; and also that the Clerk is hereby ordered to notify the Honorable Senate of the passage of this resolution;

Which was adopted.

Mr. Ward moved to discharge the committee on State affairs from the further consideration of House manuscript bill, entitled

A bill to change the name of John Gutekunst to John Gute;

Which motion prevailed.

On motion of Mr. Ward,

The rules were suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority

of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Rowleson,   |
| Avery,        | Hutchinson,     | Sanford,        |
| Baxter,       | Ingersoll,      | Seward,         |
| Bostwick,     | Jewell,         | Shaw,           |
| Boynton,      | L. Kendrick,    | Sheldon,        |
| R. V. Briggs, | F. G. Kendrick, | Slayton,        |
| Brownell,     | Kingale,        | Snell,          |
| Cameron,      | Klein,          | Stannard,       |
| B. Clark,     | Lee,            | Stewart,        |
| O. Clark,     | Lovell,         | Stockbridge,    |
| Cogshall,     | Mandigo,        | Swift,          |
| Crane,        | Mason,          | Ternes,         |
| Curry,        | McCowen,        | Thompson,       |
| Davis,        | McKernan,       | Vowles,         |
| Dussean,      | Mead,           | Walker,         |
| Eck,          | Miles,          | Walton,         |
| Elliott,      | Millington,     | Ward,           |
| Fenner,       | Mitchell,       | Wendell,        |
| Fuller,       | Murray,         | White,          |
| Gay,          | Newman,         | Wilcox,         |
| Gifford,      | Norton,         | H. G. Williams, |
| Grant,        | Osborn,         | J. A. Williams, |
| Hartson,      | Purcell,        | W. D. Williams, |
| Holt,         | Putnam,         | Woodard,        |
| Horton,       | Riford,         | Speaker,        |
| Hunt,         | Riopelle,       |                 |
|               | NAYS.           | 77              |
|               |                 | 0               |

Title agreed to.

On motion of Mr. Ward.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole, on the general order,

Mr. Slayton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

House joint resolution No. 8, entitled

Joint resolution confirming the sale of certain primary school lands, and authorizing a patent to be issued for the same to L. Jud Macomber;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills:

1. Senate bill No. 10, entitled

A bill to amend section 5646 of the compiled laws, being section 10, of chapter 150, of the revised statutes of 1846, relative to the fees of witnesses;

2. Senate bill No. 19, entitled

A bill to require all State boards to make annual reports;

3 House bill No. 53, entitled

A bill to amend chapter 181 of the compiled laws, by adding thereto section 153;

4. House bill No. 54, entitled

A bill for the equalization of taxes by making the taxes paid by mining corporations in the Upper Peninsula of Michigan, for State purposes, the same as paid by property generally throughout the State;

5. Senate bill No. 23, entitled

A bill to legalize the election of trustees in the village of St. Johns, for the year 1868;

6. Senate bill No. 20, entitled

A bill to amend sections 1, 2 and 12, of act No. 119, of the session laws of 1867;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

THOS. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.



The joint resolution and several bills were placed on the order of third reading.

Mr. Horton moved that the House take a recess until half-past two o'clock this afternoon.

Mr. Ward moved to amend by making the hour three o'clock; Which motion prevailed.

The motion, as amended, to take a recess until 3 o'clock, then prevailed.

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AFTERNOON SESSION.

3 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker, by unanimous consent, announced the following:

LANSING, Feb. 15, 1869.

*To the Honorable Speaker of the House of Representatives:*

SIR—Referring to the report of the committee of investigation upon the affairs of the Detroit and Milwaukee railroad company, to the effect that I had failed to appear before that committee, although summoned to do so, and that in my absence I had shown contempt to your Honorable body; and with reference, also, to the resolution based upon the report referred to, I beg respectfully to state that no summons was ever served upon me; nor did I learn, until Saturday evening, the 13th inst., that my presence was required, when I did receive a telegram, stating that I was wanted. I at once made arrangements to come, and I am here, without, even at this time, any summons being served upon me.

Since writing the above, I have been placed in communication with the Assistant Sergeant-at-Arms, and he informs me that he did not serve the summons upon me; in fact, he could not have done so, for on the day on which he served the summons upon a person pointed out to him by a stranger, as being Thomas Bell, I was in Chicago.

I have the honor to be, sir,

Your obedient servant,

The communication was laid on the table.

Mr. Miles, by unanimous consent, presented the memorial of Chas. A. Kent, attorney for the Detroit and Saline Plank Road Company, setting forth certain legal points in behalf of said company;

Also: memorial of the secretary and treasurer of the Detroit and Saline Plank Road Company.

Referred to the committee on banks and incorporations.

#### GENERAL ORDER.

On motion of Mr. Osborn,

The House went into committee of the whole, on the general order,

Mr. Sanford in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 55, entitled

A bill to amend sections 1 and 2, of act number 174, of the session laws of 1867, being an act supplementary to an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes," approved February 15, 1853;

2. House bill No. 57, entitled

A bill to authorize the village of South Saginaw to raise by tax, money to build a station-house for the use of the said village;

3. House bill No. 59, entitled

A bill to repeal act No. 397, session laws of 1867, increasing tolls on plank roads in the counties of Bay, Clinton, Gratiot and Saginaw;

4. House bill No. 65, entitled

A bill to change the name of "The First Congregational Church and Society of Raisin," (being in the county of Lena-

wee and State of Michigan,) to the "First Presbyterian Church and Society of Raisin;"

5. House bill No. 66, entitled

A bill to authorize the Young Men's Society of Saginaw to change the name thereof;

6. House bill No. 69, entitled

A bill to regulate the size of dry or packing barrels for fruits, roots and vegetables;

7. Senate bill No. 85, entitled

A bill to amend section 4 of an act entitled "An act to incorporate the city of Battle Creek, approved February 8, 1859, and section 1 of an act amendatory thereof," approved February 25, 1861;

8. Senate bill No. 11, entitled

A bill to amend section 5654, of the compiled laws, being section 18, of chapter 150, title 24, of the revised statutes of 1846, relative to the fees of jurors;

9. Senate bill No. 31, entitled

A bill to amend section nineteen of an act entitled "An act to incorporate the village of Farmington," approved March 25, 1867;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

10. House bill No. 56, entitled

A bill to amend an act entitled an act to amend an act entitled "An act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5, 1853, by adding three sections thereto, approved March 12, 1867;

And have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on mines and minerals.

The committee of the whole have also had under consideration the following entitled bills:

11. House bill No. 58, entitled

A bill to amend an act entitled "An act to incorporate the village of Howell," approved March 14, 1863, and to add thereto one new section;

12. House bill No. 60, entitled

A bill to incorporate the village of Augusta, in the county of Kalamazoo;

13. House bill No. 67, entitled

A bill to protect from unnecessary interruption and disturbance, our common schools;

14. House bill No. 68, entitled

A bill to aid in the government of our common schools;

15. House bill No. 64, entitled

A bill to regulate the sale of patent and other simple and compound medicines in the State of Michigan, and to prohibit the publication of their virtues in language of immoral tendency, or of ambiguous character;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 9, entitled

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way and aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, in Menominee county, to the iron district in Sauk county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

GEORGE P. SANFORD, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth

and ninth named bills were placed on the order of third reading.

On motion of Mr. W. D. Williams,

The tenth named bill was recommitted to the committee on mines and minerals.

On motion of Mr. Mead,

The amendments made to the eleventh, twelfth, thirteenth and fourteenth named bills were concurred in, and the several bills were placed on the order of third reading.

On motion of Mr. Ingersoll,

The fifteenth named bill was recommitted to the committee on State affairs.

On motion of Mr. Mason,

The amendments made to the joint resolution were concurred in, and the joint resolution was placed on the order of third reading.

The Speaker, by unanimous consent, presented the following:  
*To the Speaker of the House of Representatives:*

SIR—In regard to the communication that has been shown to me, and read to the House, from Thos. Bell, Esq., Superintendent of the Detroit and Milwaukee railroad, I would beg leave, respectfully, to state to the Honorable the House, that on the 1st inst. I was at Detroit on official business, subpoenaing witnesses on behalf of the investigation of the Detroit and Milwaukee railroad. While at the depot of that road, I made inquiry of a person near me, where I could find Mr. Bell? To this inquiry he pointed me to a gentleman standing near the ticket office, and said that was him. I immediately accosted the person to whom I had been directed, and inquired if he was Mr. Bell, to which he answered, yes. I then told him that I had a subpoena for him to appear before a legislative committee, at the Capitol, at Lansing, on 13th of February inst., at 10 o'clock A. M., to investigate by what authority the so-called Detroit and Milwaukee railroad was exercising the powers of a corporate body. Then making a movement to produce the subpoena, I asked him if I should read it, to which he replied, "no,"

or, "it is unnecessary." I then left him, supposing I had subpoenaed Mr. Thos. Bell, named in the subpoena, and so supposed until to-day, when I was introduced to him, and asked if I had ever before seen the gentleman. I unhesitatingly answered that I never had. I was then told that it was Mr. Bell, named in the subpoena.

This statement I have desired to make, in justice to Mr. Bell, and my own action in the matter.

Respectfully,

H. H. SEAVER,

*Assistant Sergeant-at-Arms.*

LANSING, Feb. 15, 1869.

The communication was laid on the table.

Mr. Ingersoll, by unanimous consent, offered the following:

*Whereas*, A resolution was introduced and adopted by this House, on the 12th inst., censuring the conduct of Thomas Bell, in not obeying the summons of one of the committees of the Legislature, and ordering the Sergeant-at-Arms to bring said Bell to the bar of this House for contempt;

*And whereas*, The communication of that gentleman, directed to the Honorable the Speaker, and read to this House, is a full and satisfactory explanation of the whole matter; therefore,

*Resolved*, That the said Thos. Bell is hereby fully exonerated from all censure or blame in the alleged refusal to obey the summons of this House.

*Resolved*, That the Assistant Sergeant-at-Arms, in his action in this matter, is also exonerated from any charge of blame;

Which was adopted.

On motion of Mr. McKernan,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Tuesday, February 16, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Weed.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Ternes: remonstrance of John Ryan, Louis Springstubble and 54 others, against the repeal of the county drainage law.

Referred to the committee on drainage.

By Mr. Slayton: petition of J. C. Train, S. Hunt, Peter Coppens, Jas. W. Norton, C. R. Hine, and 106 other citizens of the village of Lowell, Kent county, asking for the passage of a law authorizing the common council of said village to cause a re-survey thereof, and to make and record all necessary plats, and to tax the costs of the same.

Referred to the committee on banks and incorporations.

By Mr. Slayton: petition of R. Hunter, Jr., A. Peck, E. R. Crow, C. R. Hine, Jas. Edie, Jas. W. Norton, Wm. Hatch, John Kopf, M. M. Perry and 101 others, citizens of the village of Lowell, Kent county, asking for the enlargement of said village, so as to include all of section 2, north of Grand River, and section 1, west of the quarter line, and north of Grand River.

Referred to the committee on banks and incorporations.

By Mr. Grant: remonstrance of A. Ellis, T. J. Emory and 59 others, citizens of Barry county, against the repeal of the law of 1855, and all other laws relative to the appointment of a professor of homeopathy in the State University.

Referred to the committee on education.

By Mr. Hurlbut: petition of C. D. Ruggles, A. S. Brown and 49 others, citizens of Van Buren county, asking an appropriation of swamp lands, for the purpose of draining certain low lands in said county.

Referred to the committee on public lands.

By Mr. Fuller: petition of E. O. Rose, L. N. Wilcox and 84

others, asking that the west half of the unorganized county of Clare be attached to the county of Mecosta.

Referred to the committee on towns and counties.

By Mr. Osborn: remonstrance of E. M. Hulburd, Ira Swaney, J. M. Johnson, J. C. Hoagaboam and 58 others, against the repeal of the act to incorporate the public schools of the village of Hudson.

Referred to the committee on banks and incorporations.

By Mr. Westover: petition of Neil Matheson, John Davis and 49 others, for the revision of the charter of Wenona, Bay county.

Referred to the committee on banks and incorporations.

By Mr. Mitchell: preamble and resolutions of the board of supervisors of the county of Antrim, asking for the repeal of act number 471, of the session laws of 1867.

Referred to the committee on the judiciary.

By Mr. Mitchell: petition of S. C. Mofatt and 19 others, asking for an amendment to section 40, page 1039 of the compiled laws, in reference to fixing the time of holding courts of probate, so far as it applies to the county of Leelanaw.

Referred to the committee on the judiciary.

By Mr. Mead: petition of Seth L. Andrews, M. D., Philo Tillson, M. D., James Harvey, M. D., Watson Loud, M. D., Wm. Greenshield, M. D., Albert E. Leete, M. D., and 60 others, citizens of Romeo, Macomb county, praying for the repeal of the act providing for a chair of homeopathy in the State University, and that aid be granted the University without the conditions contained in the act of 1867.

Referred to the committee on education.

By Mr. Crane: petition of Wm. Kedzie, L. Ormsby and 25 others, citizens of Deerfield, Lenawee county, asking an appropriation for the support of the Agricultural College.

Referred to the committee on the Agricultural College.

By Mr. R. V. Briggs: petition of Robert S. McDonald, George P. Baker, S. W. Ferguson, James R. Haven and 37 oth-



ers, Michigan soldiers in the late war, asking for the passage of a law to pay a bounty to Michigan soldiers of \$100.

Referred to the committee on military affairs.

By Mr. Bostwick: petition of Phebe Ann Richardson, for the State bounty for Orlando H. Richardson, deceased.

Referred to the committee on military affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to amend chapter 17 of compiled laws, in relation to the assessment and collection of taxes, so as to require all delinquent taxes to be paid at the county treasurer's office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fenner,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend sections 10 and 17, laws of 1861, being an act to lay out highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred A bill to prevent animals from trespassing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cameron,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred a bill, entitled

An act to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, in the consolidation of certain school districts therein,

And sundry memorials and petitions (272 for, and 152 against the same,) pertaining thereto,

Respectfully report that they have had said bill under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions and memorials were laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend act No. 246, of the session laws of 1867, relative to the construction of a bridge to connect the Duncan,

Alpena and Sauble river State road with the East Saginaw and Sauble river State road, by adding one new section thereto, providing for the appointment of a special commissioner,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred sundry memorials and petitions, both for and against the repeal of act No. 55, of the session laws of 1867, providing for county superintendents of schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend act No. 55, of the session laws of 1867, entitled "An act to provide for county superintendents of schools, and to amend section 91, and repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78, of compiled laws," approved March 13, 1867;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The memorials and petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted a bill, entitled

A bill to incorporate the village of Lawton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Seward,     |
| Avery,        | Hurlbut,        | Shaw,           |
| Barnaby,      | Hutchinson,     | Sheldon,        |
| Baxter,       | Ingersoll,      | Shier,          |
| Blake,        | Jewell,         | Sickels,        |
| Bostwick,     | L. Kendrick,    | Slayton,        |
| Boynton,      | F. G. Kendrick, | Smith,          |
| G. G. Briggs, | Kingsley,       | Snell,          |
| R. V. Briggs, | Klein,          | Stannard,       |
| Brownell,     | Lane,           | Stewart,        |
| Cameron,      | Lee,            | Stockbridge,    |
| O. Clark,     | Mandigo,        | Swift,          |
| Cogshall,     | McCowen,        | Ternes,         |
| Crane,        | McKernan,       | Thompson,       |
| Crossman,     | Mead,           | Vowles,         |
| Curry,        | Miles,          | Wagner,         |
| Davis,        | Miller,         | Walton,         |
| Doty,         | Millington,     | Ward,           |
| Dusseau,      | Mitchell,       | Weier,          |
| Eck,          | Murray,         | Wendell,        |
| Elliott,      | Newman,         | Westover,       |
| Fenner,       | Norton,         | White,          |
| Fuller,       | Osborn,         | Wilcox,         |
| Gay,          | Purcell,        | H. G. Williams, |

Gifford,  
Goodrich,  
Grant,  
Holt,  
Horton,  
Hubbard,

Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Sanford,

J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

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## NAYS.

Mr. B. Clark,

Mr. Eaton,

Mr. Mason,

3

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 5, being

Joint resolution to provide for applying the surplus funds in the State Treasury, in payment of the interest bearing bonds of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize the board of supervisors of the county of Kalamazoo, to raise by tax upon the real and personal property of Kalamazoo, a sum of money not exceeding two thousand dollars, for the purpose of providing a homestead for the

widow and children of Benjamin F. Orcutt, late sheriff of Kalamazoo county, deceased,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 569 of the compiled laws, in reference to the bond of township treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate joint resolution No. 3, entitled

Joint resolution authorizing the Commissioner of the State Land Office, or other proper officer, to issue a certificate of sale of certain lands to Jacob Pintler, of Eureka, Montcalm county, Michigan,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Percival J. Norton, to Percival J. Williams, and to constitute him the heir-at-law of Augustine N. Williams and Katharine Williams,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to legalize the survey of the village of Marine city, county of St. Clair, made by Charles Palmer, in the year 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prohibit, discourage and punish prize fighting within the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to repeal section 6, and amend section 9, of act No. 205, of the session laws of 1865, being an act entitled "an act to provide a tax upon dogs,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, as a substitute, entitled

A bill to amend section 9, of act No. 205, of session laws of 1865, being an act entitled "an act to provide for a tax upon dogs;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred Senate bill No. 43, entitled

A bill to amend section 2017 of the compiled laws, being sec-



tion 9, of chapter 68, of the compiled laws, relative to religious societies, as amended by section 20, of act No. 147, of session laws of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
*Lansing, February 13, 1869.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to amend an act entitled "An act to incorporate the village of Holly," approved March 8, 1865;

Also,

An act to extend the time for the collection of taxes in the township of Redford, in the county of Wayne;

Also,

An act to extend the time for the collection of taxes in the township of Macomb, in the county of Macomb;

Also,

An act to change the name of the township of North Climax, in Benzie county, to Inland;

Also,

An act to authorize school district number four, in the township of Mason, in the county of Cass, to issue bonds and borrow money to build a school-house;

Also,

A bill to change the name of the village of Centreville, in the county of Tuscola, to that of Caro.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the petitions of D. A. Blodgett and 343 others, and petition of James G. Robbins and 123 others, praying for the organization of the unorganized county of Osceola, in compliance with the request of the House.

I am also directed to transmit the petition of Gilbert E. Benton and 17 others, asking for the organization of the township of Colfax.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The petitions were referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 15, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 60, entitled

A bill to re-incorporate the village of Schoolcraft;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### NOTICES.

Mr. Hutchinson gave notice that on some future day he would ask leave to introduce

A bill to change the name of Lemon VanVolkenburg to Lemon Baker, the name of Lucy Ann VanVolkenburg to Lucy Ann Baker, and the name of Albert VanVolkenburg to Albert Baker.

Mr. Walton gave notice that on some future day he would ask leave to introduce

A bill to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to authorize the common council of the village of Lowell, in the county of Kent, to cause a re-survey and re-platting of said village to be made and recorded, and to assess and collect the necessary expenses therefor.

Mr. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of act No. 297, of the session laws of 1865, and to add a new section thereto.

Mr. Sickels gave notice that on some future day he would ask leave to introduce

A bill to appropriate certain non-resident taxes in the townships of Elby and Hamilton, in Gratiot county, on the Ovid and St. Charles State road, and the appointment of a commissioner to lay out the same.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to amend sections 9, 10, 11, 12, 13, 14, of chapter 39, of the compiled laws, relative to county poor.

Mr. Fuller gave notice that on some future day he would ask leave to introduce

A bill to attach the west half of the unorganized county of Clare to the county of Osceola, for municipal and judicial purposes.

Mr. Riopelle gave notice that on some future day he would ask leave to introduce

A bill to amend section 14, of chapter 86, of the revised statutes of 1846, as amended by an act entitled "An act to amend section 14, of chapter 86, of the revised statutes of 1846, the same being section 3312, of the compiled laws of 1857, entitled 'guardians and wards,'" approved January 17, 1862.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the board of school inspectors

of the township of Adams, in the county of Houghton, in forming said township into one school district.

Mr. Huston gave notice that on some future day he would ask leave to introduce

A bill for the relief of Mason Samson.

Mr. Goodrich gave notice that on some future day he would ask leave to introduce

A bill to extend the jurisdiction of justices of the peace in justice courts in civil cases.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Lisbon.

Mr. Stockbridge gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "an act for the incorporation of insurance companies, and defining their powers and duties," approved February 15, 1859.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill relative to residence of judges in the eleventh judicial district.

Mr. Sanford gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the board of supervisors of Ingham county, in discontinuing a certain piece of State road.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to attach the county of Manitou to the 13th judicial district;

Also,

A bill to repeal act 138, of the session laws of 1865, wherein said act attached the county of Manitou to the county of Leelanaw, for certain judicial purposes.

By unanimous consent, the Speaker announced the following:

*To the Honorable House of Representatives:*

GENTLEMEN—The mayor and common council of Bay City, extend the hospitalities of their city to the members of this House and Legislature, and invite them to visit their city on their contemplated excursion to Saginaw Valley, on the 25th inst.

L. WESTOVER.

Also, the following:

MAYOR'S OFFICE, CITY OF SAGINAW, }  
February, 15th, 1869. }

*To the Hon. Speaker, Members and Officers of the House of Representatives of the State of Michigan:*

I am requested by the common council of our city, to extend to you the invitation of the council, on behalf of the citizens, to visit our city, in company with the Hon. members of the Senate, and State officers, on the 25th day of Feb., inst., on the occasion of the excursion to the Saginaw Valley.

The hospitalities of our city are hereby tendered, and our citizens will take great pleasure in welcoming you, as guests of our city.

Hoping this invitation will be accepted, I have the honor to subscribe myself,

Your obedient servant,

A. F. R. BRADLEY, *Mayor.*

Mr. Westover moved that a special committee of three be appointed, to consider the invitations, and report thereon;

Which motion prevailed.

The Speaker announced, as such committee, Messrs. Westover, Lane and Yawkey.

#### INTRODUCTION OF BILLS.

Mr Shaw, previous notice having been given, and leave being granted, introduced

A bill to amend section 1 of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Smith, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Portland, Ionia county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in the township of Ishpening, county of Marquette.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Stewart, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers, who enlisted to fill the quota of said township under the last call of the President.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Westover, unanimous consent being given, introduced

A bill to revise the charter of the village of Wenona.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. L. Kendrick, previous notice having been given, and leave being granted, introduced

A bill to provide for the laying out, establishing and construction of a certain State road in the county of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1, 3 and 9, of act number 236, of the session laws of 1863, entitled "An act to provide for the protection of game in the State of Michigan, approved March 20, 1863," and act number 278, of the session laws of 1865, entitled

"An act to amend section 2 of an act entitled an act to provide for the protection of game in the State of Michigan," being act 236, of the session laws of 1863, approved March 20, 1863.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. R. V. Briggs, previous notice having been given, and leave being granted, introduced

Joint resolution proposing an amendment to section 9, article 2, of the constitution of this State, relative to allowing the boards of supervisors of counties to raise \$2,000 a year for the purpose of repairing and constructing public buildings, highways or bridges.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to repeal section 1 and section 2, of act No. 471, of the session laws of 1867, and to amend section 3 of the same act.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to change the time of holding probate court in the county of Leelanaw.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. W. D. Williams, previous notice having been given, and leave being granted, introduced

Joint resolution providing that the swamp land grants for the roads in the Upper Peninsula, may be used for the construction of road beds for tram, train or railroads.

The joint resolution was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Crane, previous notice having been given, and leave being granted, introduced



A bill to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866, and the proceedings of the board of supervisors and of the drainage commissioners of said county of Lenawee, pertaining thereto.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to aid in the improvement of the Saginaw and Gratiot State road, and apply certain non-resident highway taxes thereon.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Holt, unanimous consent being given, introduced

Joint resolution urging upon our Senators and Representatives in Congress, the importance of securing to certain Indians and other persons, their rights to Indian reservation lands, in Muskegon county.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Woodward, previous notice having been given, and leave being granted, introduced

A bill for the relief of the contractor on the Stony Creek ditch, Monroe county.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to authorize the formation of corporations for the purpose of improving the navigation of rivers.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hurlbut, previous notice having been given, and leave being granted, introduced

Joint resolution proposing amendments to section 7, of article 15, of the constitution of Michigan, in relation to liabilities of stockholders in joint stock corporations or associations.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Yawkey, previous notice having been given, and leave being granted, introduced

A bill to provide for the completion of the geological survey of the State.

The bill was read a first and second time by its title, and referred to the committee on geological survey.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House joint resolution No. 8, entitled

Joint resolution confirming the sale of certain primary school lands, and authorizing a patent to be issued for the same to L. Jud Macomber,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Romeyn,  |
| Avery,        | Hubbard,        | Rowlson,     |
| Barnaby,      | Hunt,           | Seward,      |
| Baxter,       | Hutchinson,     | Shaw,        |
| Blake,        | Ingersoll,      | Sheldon,     |
| Bostwick,     | Jewell,         | Shier,       |
| Boynton,      | L. Kendrick,    | Sickels,     |
| R. V. Briggs, | F. G. Kendrick, | Slayton,     |
| Brownell,     | Kingsley,       | Smith,       |
| Cameron,      | Klein,          | Snell,       |
| B. Clark,     | Lane,           | Stannard,    |
| O. Clark,     | Lee,            | Stewart,     |
| Cogshall,     | Lovell,         | Stockbridge, |
| Crane,        | Mandigo,        | Swift,       |
| Crossman,     | McCowen,        | Ternes,      |
| Curry,        | McKernan,       | Thompson,    |
| Davis,        | Mead,           | Vowles,      |
| Doty,         | Miles,          | Wagner,      |
| Dusseau,      | Miller,         | Walker,      |
| Eaton,        | Millington,     | Walton,      |
| Eck,          | Mitchell,       | Weier,       |

Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Hartson,  
Holt,

Murray,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Riopelle,

NAYS.

Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker, 90

6

Title and preamble agreed to.

Senate bill No. 10, entitled

A bill to amend section 5646, of the compiled laws, being section 10, of chapter 150, of the revised statutes of 1846, relative to the fees of witnesses,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,

Mr. Riford,  
Rowlson,  
Seward,  
Shaw,  
Sheldon,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,

Grant,  
Hartson,  
Holt,

Purcell,  
Putnam,

W. D. Williams,  
Speaker,

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## NAYS.

Mr. R. V. Briggs,  
Elliott,  
Miles,

Mr. Plimpton,  
Riopelle,  
Romeyn,

Mr. Slayton,  
Weier,  
Woodard, 9

Title agreed to.

Senate bill No. 19, entitled

A bill to require all State boards to make annual reports,

Was read a third time and passed, a majority of all the  
members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Hartson,  
Holt,  
Horton,  
Hubbard,

Mr. Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowison,

Mr. Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

92

## NAYS.

0

Title agreed to.

House bill No. 53, entitled

A bill to amend chapter 181, of the compiled laws, by adding thereto section 153,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Sanford,    |
| Avery,        | Hurlbut,        | Seward,         |
| Barnaby,      | Hutchinson,     | Shaw,           |
| Baxter,       | Ingersoll,      | Sheldon,        |
| Blake,        | Jewell,         | Shier,          |
| Bostwick,     | L. Kendrick,    | Sickels,        |
| Boynton,      | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingsley,       | Smith,          |
| R. V. Briggs, | Klein,          | Snell,          |
| Brownell,     | Lane,           | Stannard,       |
| Cameron,      | Lee,            | Stewart,        |
| B. Clark,     | Lovell,         | Stockbridge,    |
| O. Clark,     | Mandigo,        | Swift,          |
| Cogshall,     | McCowen,        | Ternes,         |
| Crane,        | McKernan,       | Thompson,       |
| Crossman,     | Mead,           | Vowles,         |
| Curry,        | Miles,          | Wagner,         |
| Davis,        | Miller,         | Walker,         |
| Doty,         | Millington,     | Walton,         |
| Eck,          | Mitchell,       | Ward,           |
| Elliott,      | Murray,         | Weier,          |
| Fenner,       | Newman,         | Wendell,        |
| Fuller,       | Norton,         | Westover,       |
| Gay,          | Osborn,         | White,          |
| Gifford,      | Plimpton,       | Wilcox,         |
| Goodrich,     | Purcell,        | J. A. Williams, |
| Grant,        | Putnam,         | W. D. Williams, |
| Hartson,      | Riford,         | Woodard,        |
| Holt,         | Riopelle,       | Yawkey,         |
| Horton,       | Romeyn,         | Speaker,        |
| Hubbard,      | Rowlson,        |                 |

92

## NAYS.

0

The question being upon agreeing to the title,

Mr. Yawkey moved to amend the title so as to read as follows:

"A bill to amend chapter 181, of the compiled laws, relative to offenses against property, by adding thereto section 53;"

Which was agreed to.

The title, as amended, was agreed to.

House bill No. 54, entitled

A bill for the equalization of taxes, by making the taxes paid by mining companies in the Upper Peninsula of Michigan, for State purposes, the same as paid by property generally throughout the State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Sanford,    |
| Avery,        | Hurlbut,        | Seward,         |
| Barnaby,      | Hutchinson,     | Shaw,           |
| Baxter,       | Ingersoll,      | Sheldon,        |
| Blake,        | Jewell,         | Shier,          |
| Bostwick,     | L. Kendrick,    | Sickels,        |
| Bynton,       | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingsley,       | Smith,          |
| R. V. Briggs, | Klein,          | Snell,          |
| Brownell,     | Lane,           | Stannard,       |
| Cameron,      | Lee,            | Stewart,        |
| B. Clark,     | Lovell,         | Stockbridge,    |
| O. Clark,     | Mandigo,        | Swift,          |
| Cogshall,     | McCowen,        | Ternes,         |
| Crane,        | McKernan,       | Thompson,       |
| Crossman,     | Mead,           | Vowles,         |
| Curry,        | Miles,          | Wagner,         |
| Davis,        | Miller,         | Walker,         |
| Doty,         | Millington,     | Walton,         |
| Eaton,        | Mitchell,       | Ward,           |
| Eck,          | Murray,         | Wier,           |
| Elliott,      | Newman,         | Wendell,        |
| Fenner,       | Norton,         | Westover,       |
| Fuller,       | Osborn,         | White,          |
| Gay,          | Plimpton,       | Wilcox,         |
| Gifford,      | Purcell,        | H. G. Williams, |
| Goodrich,     | Putnam,         | J. A. Williams, |
| Grant,        | Riford,         | W. D. Williams, |

|          |           |          |    |
|----------|-----------|----------|----|
| Hartson, | Riopelle, | Woodard, |    |
| Horton,  | Romeyn,   | Yawkey,  |    |
| Hubbard, | Rowlson,  | Speaker, | 93 |
|          | NAYS.     |          | 0  |

Title agreed to.

Senate bill No. 23, entitled

A bill to legalize the election of trustees in the village of St. Johns, for the year 1868,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

|               |                 |                 |    |
|---------------|-----------------|-----------------|----|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Sanford,    |    |
| Avery,        | Hurlbut,        | Seward,         |    |
| Barnaby,      | Huston,         | Shaw,           |    |
| Baxter,       | Hutchinson,     | Sheldon,        |    |
| Blake,        | Ingersoll,      | Shier,          |    |
| Bostwick,     | Jewell,         | Sickels,        |    |
| Boylnton,     | L. Kendrick,    | Slayton,        |    |
| G. G. Briggs, | F. G. Kendrick, | Smith,          |    |
| R. V. Briggs, | Kingsley,       | Snell,          |    |
| Brownell,     | Klein,          | Stannard,       |    |
| Cameron,      | Lane,           | Stewart,        |    |
| B. Clark,     | Lee,            | Stockbridge,    |    |
| O. Clark,     | Lovell,         | Swift,          |    |
| Cogshall,     | Mandigo,        | Ternes,         |    |
| Crane,        | McCowen,        | Thompson,       |    |
| Crossman,     | McKernan,       | Vowles,         |    |
| Curry,        | Mead,           | Wagner,         |    |
| Davis,        | Miles,          | Walker,         |    |
| Doty,         | Miller,         | Walton,         |    |
| Eaton,        | Millington,     | Ward,           |    |
| Eck,          | Mitchell,       | Weier,          |    |
| Elliott,      | Murray,         | Wendell,        |    |
| Fenner,       | Newman,         | Westover,       |    |
| Fuller,       | Norton,         | White,          |    |
| Gay,          | Osborn,         | Wilcox,         |    |
| Gifford,      | Plimpton,       | H. G. Williams, |    |
| Goodrich,     | Purcell,        | J. A. Williams, |    |
| Grant,        | Putnam,         | W. D. Williams, |    |
| Hartson,      | Riford,         | Woodard,        |    |
| Holt,         | Romeyn,         | Yawkey,         |    |
| Horton,       | Rowlson,        | Speaker,        | 94 |
| Hubbard,      |                 |                 | 0  |

NAYS.

Title agreed to.

On motion of Mr. Slayton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 20, entitled

A bill to amend sections 1, 2 and 12, of act No. 119, of the session laws of 1867, approved March 27, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hurlbut,    | Mr. Sanford,    |
| Avery,        | Huston,         | Seward,         |
| Barnaby,      | Hutchinson,     | Shaw,           |
| Baxter,       | Ingersoll,      | Sheldon,        |
| Blake,        | Jewell,         | Shier,          |
| Bostwick,     | L. Kendrick,    | Sickels,        |
| Boynton,      | F. G. Kendrick, | Slayton,        |
| G. G. Briggs, | Kingsley,       | Smith,          |
| R. V. Briggs, | Klein,          | Snell,          |
| Brownell,     | Lane,           | Stannard,       |
| Cameron,      | Lee,            | Stewart,        |
| B. Clark,     | Lovell,         | Stockbridge,    |
| O. Clark,     | Mandigo,        | Swift,          |
| Cogshall,     | Mason,          | Ternes,         |
| Crane,        | McCowen,        | Thompson,       |
| Crossman,     | McKernan,       | Vowles,         |
| Curry,        | Mead,           | Wagner,         |
| Davis,        | Miles,          | Walker,         |
| Doty,         | Miller,         | Walton,         |
| Eaton,        | Millington,     | Ward,           |
| Eck,          | Mitchell,       | Weier,          |
| Elliott,      | Murray,         | Wendell,        |
| Fuller,       | Newman,         | Westover,       |
| Gay,          | Norton,         | White,          |
| Gifford,      | Osborn,         | Wilcox,         |
| Goodrich,     | Plimpton,       | H. G. Williams, |
| Grant,        | Purcell,        | J. A. Williams, |
| Hartson,      | Putnam,         | W. D. Williams, |
| Holt,         | Riford,         | Woodard,        |
| Horton,       | Riopelle,       | Yawkey,         |
| Hubbard,      | Romeyn,         | Speaker,        |
| Hunt,         | Rowlson,        |                 |

NAYS.



Pending the announcement of the vote,

Mr. Yawkey moved that Mr. Westover be excused from voting;

Which motion did not prevail.

Mr. Westover then voted as recorded above.

Mr. Mead moved to amend the title so that the same should read as follows:

"A bill to amend sections 1, 2 and 11, of act 119, of the session laws of 1867, entitled 'an act to authorize the Governor of the State of Michigan to seize lands to be used by the U. S. for light house purposes,' approved March 27, 1867, and to add two new sections thereto, to stand as sections 13 and 14 of said act;"

Which motion prevailed.

The title, as amended, was agreed to.

House bill No. 57, entitled

A bill to authorize the village of South Saginaw to raise by tax, money to build a station house for the use of the said village,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Huston,     | Mr. Sanford, |
| Avery,        | Hutchinson,     | Seward,      |
| Barnaby,      | Ingersoll,      | Shaw,        |
| Baxter,       | Jewell,         | Sheldon,     |
| Blake,        | L. Kendrick,    | Shier,       |
| Bostwick,     | F. G. Kendrick, | Sickels,     |
| Boynton,      | Kingale,        | Slayton,     |
| G. G. Briggs, | Klein,          | Smith,       |
| Brownell,     | Lane,           | Snell,       |
| Cameron,      | Lee,            | Stannard,    |
| B. Clark,     | Lovell,         | Stewart,     |
| O. Clark,     | Mandigo,        | Stockbridge, |
| Cogshall,     | Mason,          | Swift,       |
| Crane,        | McCowen,        | Ternes,      |
| Crossman,     | McKernan,       | Thompson,    |
| Curry,        | Mead,           | Vowles,      |
| Davis,        | Miles,          | Wagner,      |
| Doty,         | Miller,         | Walker,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Eaton,    | Millington, | Walton,         |
| Eck,      | Mitchell,   | Ward,           |
| Elliott,  | Murray,     | Weier,          |
| Fenner,   | Newman,     | Wendell,        |
| Fuller,   | Norton,     | Westover,       |
| Gay,      | Osborn,     | White,          |
| Goodrich, | Plimpton,   | Wilcox,         |
| Grant,    | Purcell,    | H. G. Williams, |
| Hartson,  | Putnam,     | J. A. Williams, |
| Holt,     | Riford,     | W. D. Williams, |
| Horton,   | Riopelle,   | Woodard,        |
| Hubbard,  | Romeyn,     | Yawkey,         |
| Hunt,     | Rowlson,    | Speaker,        |
| Hurlbut,  |             |                 |

94

NAYS.

0

Title agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members-elect, the bill was ordered to take immediate effect.

House bill No. 55, entitled

A bill to amend sections one and two, of act No. 174, of the session laws of 1867, being an act supplementary to "An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 15, 1853,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Rowlson, |
| Avery,        | Hurlbut,        | Sanford,     |
| Barnaby,      | Huston,         | Seward,      |
| Baxter,       | Hutchinson,     | Shaw,        |
| Blake,        | Ingersoll,      | Sheldon,     |
| Bostwick,     | Jewell,         | Shier,       |
| Boynton,      | L. Kendrick,    | Sickels,     |
| G. G. Briggs, | F. G. Kendrick, | Slayton,     |
| R. V. Briggs, | Kingsley,       | Snell,       |
| Brownell,     | Klein,          | Stannard,    |
| Cameron,      | Lane,           | Stewart,     |
| B. Clark,     | Lee,            | Stockbridge, |
| O. Clark,     | Lovell,         | Swift,       |

|           |             |                 |
|-----------|-------------|-----------------|
| Cogshall, | Mason,      | Ternes,         |
| Crane,    | McCowan,    | Thompson,       |
| Croesman, | McKernan,   | Vowles,         |
| Curry,    | Mead,       | Wagner,         |
| Davis,    | Miles,      | Walker,         |
| Doty,     | Miller,     | Walton,         |
| Eaton,    | Millington, | Ward,           |
| Eck,      | Mitchell,   | Weier,          |
| Elliott,  | Murray,     | Wendell,        |
| Fenner,   | Newman,     | Westover,       |
| Fuller,   | Norton,     | White,          |
| Gay,      | Osborn,     | Wilcox,         |
| Goodrich, | Plimpton,   | H. G. Williams, |
| Grant,    | Purcell,    | J. A. Williams, |
| Hartson,  | Putnam,     | W. D. Williams, |
| Holt,     | Riford,     | Woodard,        |
| Horton,   | Riopelle,   | Yawkey,         |
| Hubbard,  | Romeyn,     | Speaker, 93     |
|           | NAYS.       | 0               |

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 59, entitled

A bill to repeal act No. 397, session laws of 1867, increasing tolls on plank roads in the counties of Bay, Clinton, Gratiot and Saginaw,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cogshall moved to recommit the bill to the committee on banks and incorporations;

Which motion prevailed.

House bill No. 65, entitled

A bill to change the name of the first Congregational Church and Society of Raisin, being in the county of Lenawee, and State of Michigan, to the first Presbyterian Church and Society of Raisin,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowilson,   |
| Avery,        | Hunt,           | Seward,         |
| Barnaby,      | Hurlbut,        | Shaw,           |
| Baxter,       | Huston,         | Sheldon,        |
| Blake,        | Hutchinson,     | Shier,          |
| Bostwick,     | Ingersoll,      | Sickels,        |
| Boynton,      | Jewell,         | Slayton,        |
| G. G. Briggs, | L. Kendrick,    | Smith,          |
| R. V. Briggs, | F. G. Kendrick, | Snell,          |
| Brownell,     | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogshall,     | Lovell,         | Ternes,         |
| Crane,        | Mandigo,        | Thompson,       |
| Crossman,     | Mason,          | Wagner,         |
| Curry,        | McCowen,        | Walker,         |
| Davis,        | McKernan,       | Walton,         |
| Doty,         | Mead,           | Ward,           |
| Eaton,        | Miles,          | Weier,          |
| Eck,          | Miller,         | Wendell,        |
| Elliott,      | Millington,     | Westover,       |
| Fenner,       | Mitchell,       | White,          |
| Fuller,       | Murray,         | Wilcox,         |
| Gay,          | Newman,         | H. G. Williams, |
| Gifford,      | Norton,         | J. A. Williams, |
| Goodrich,     | Osborn,         | W. D. Williams, |
| Grant,        | Purcell,        | Woodard,        |
| Hartson,      | Putnam,         | Yawkey,         |
| Holt,         | Riford,         | Speaker,        |
| Horton,       | Riopelle,       |                 |

92

## NAYS.

Title agreed to.

6

House bill No. 66, entitled

A bill to authorize the Young Men's Society of Saginaw to change the name thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |             |             |
|-------------|-------------|-------------|
| Mr. Ashley, | Mr. Hunt,   | Mr. Seward, |
| Avery,      | Hurlbut,    | Shaw,       |
| Barnaby,    | Huston,     | Sheldon,    |
| Baxter,     | Hutchinson, | Shier,      |

|               |                 |                 |
|---------------|-----------------|-----------------|
| Blake,        | Ingersoll,      | Sickels,        |
| Bostwick,     | Jewell,         | Slayton,        |
| Boynton,      | L. Kendrick,    | Smith,          |
| R. V. Briggs, | F. G. Kendrick, | Snell,          |
| Brownell,     | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| O. Clark,     | Lee,            | Swift,          |
| Cogshall,     | Mandigo,        | Ternes,         |
| Crane,        | Mason,          | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Doty,         | Miles,          | Ward,           |
| Eaton,        | Miller,         | Weier,          |
| Eck,          | Millington,     | Wendell         |
| Elliott,      | Mitchell,       | Westover,       |
| Fenner,       | Murray,         | White,          |
| Fuller,       | Newman,         | Wilcox,         |
| Gay,          | Norton,         | H. G. Williams, |
| Gifford,      | Osborn,         | J. A. Williams, |
| Goodrich,     | Purcell,        | W. D. Williams, |
| Grant,        | Putnam,         | Woodard,        |
| Hartson,      | Riford,         | Yawkey,         |
| Horton,       | Riopelle,       | Speaker,        |
| Hubbard,      | Rowlson,        | 89              |
|               | NAYS.           | 0               |

Mr. Lane moved to amend the title by striking out the word "thereof," and inserting in lieu thereof the words, "of said society;"

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 69, entitled

A bill to regulate the size of dry or packing barrels for fruits, roots and vegetables,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Horton moved to amend by striking out the words "one

hundred quarts," and inserting the words "eighty-eight quarts" in lieu thereof.

Mr. White moved to amend the amendment by striking out "eighty-eight quarts," and inserting in lieu thereof, "two bushels and three pecks;"

Which amendment was accepted.

The amendment was then not agreed to.

Mr. Mason moved that the bill be recommitted to the committee on State affairs.

Mr. Slayton moved to amend the motion of Mr. Mason, by referring the bill to a special committee, consisting of Messrs. Swift and Horton;

Which motion did not prevail.

The motion to recommit to the committee on State affairs did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|                    |                   |                    |
|--------------------|-------------------|--------------------|
| <b>Mr. Ashley,</b> | <b>Mr. Grant,</b> | <b>Mr. Romeyn,</b> |
| Avery,             | Hartson,          | Rowlson,           |
| Barnaby,           | Holt,             | Sanford,           |
| Baxter,            | Hubbard,          | Seward,            |
| Blake,             | Hunt,             | Shaw,              |
| Boynton,           | Hurlbut,          | Slayton,           |
| R. V. Briggs,      | Ingersoll,        | Stannard,          |
| Brownell,          | L. Kendrick,      | Stewart,           |
| Cameron,           | Kingsley,         | Stockbridge,       |
| B. Clark,          | Klein,            | Swift,             |
| Cogshall,          | Lane,             | Ternes,            |
| Crane,             | Lee,              | Thompson,          |
| Crossman,          | McCowen,          | Vowles,            |
| Davis,             | McKernan,         | Walker,            |
| Dusseau,           | Mead,             | Ward,              |
| Eaton,             | Muller,           | Wendell,           |
| Eck,               | Millington,       | Westover,          |
| Elliott,           | Mitchell,         | H. G. Williams,    |
| Fenner,            | Murray,           | W. D. Williams,    |
| Fuller,            | Newman,           | Woodard,           |
| Gay,               | Norton,           | Yawkey,            |
| Gifford,           | Purcell,          | Speaker,           |
| Goodrich,          | Riford,           |                    |

## NAYS.

|                 |             |                 |
|-----------------|-------------|-----------------|
| Mr. Bostwick,   | Mr. Lovell, | Mr. Sickels,    |
| G. G. Briggs,   | Mandigo,    | Smith,          |
| O. Clark,       | Mason,      | Snell,          |
| Doty,           | Osborn,     | Wagner,         |
| Horton,         | Plimpton,   | Walton,         |
| Huston,         | Putnam,     | Weier,          |
| Hutchinson,     | Riopelle,   | White,          |
| Jewell,         | Sheldon,    | Wilcox,         |
| F. G. Kendrick, | Shier,      | J. A. Williams, |

27

Title agreed to.

Senate bill No. 35, entitled

A bill to amend section 4 of an act entitled "An act to incorporate the city of Battle Creek, approved February 2, 1859, and section 1 of an act amendatory thereof," approved February 25, 1861.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Hubbard, | Mr. Sanford, |
| Barnaby,      | Hunt,        | Seward,      |
| Baxter,       | Hurlbut,     | Shaw,        |
| Blake,        | Hutchinson,  | Sheldon,     |
| Bostwick,     | Ingersoll,   | Shier,       |
| G. G. Briggs, | Jewell,      | Sickels,     |
| R. V. Briggs, | L. Kendrick, | Slayton,     |
| Brownell,     | Kingsley,    | Smith,       |
| Cameron,      | Lane,        | Snell,       |
| B. Clark,     | Lee,         | Stannard,    |
| O. Clark,     | Lovell,      | Stewart,     |
| Coghall,      | Mandigo,     | Stockbridge, |
| Crossman,     | McCowan,     | Swift,       |
| Curry,        | McKernan,    | Thompson,    |
| Davis,        | Mead,        | Vowles,      |
| Doty,         | Miller,      | Wagner,      |
| Dussean,      | Millington,  | Walker,      |
| Eaton,        | Mitchell,    | Walton,      |
| Eck,          | Murray,      | Ward,        |
| Elliott,      | Newman,      | Weier,       |
| Fenner,       | Norton,      | Westover,    |
| Fuller,       | Osborn,      | White,       |
| Gay,          | Plimpton,    | Wilcox,      |

|           |           |                 |
|-----------|-----------|-----------------|
| Gifford,  | Purcell,  | H. G. Williams, |
| Goodrich, | Putnam,   | J. A. Williams, |
| Grant,    | Riford,   | W. D. Williams, |
| Hartson,  | Riopelle, | Woodard,        |
| Holt,     | Romeyn,   | Yawkey,         |
| Horton,   | Rowlson,  | Speaker, 87     |
|           | NAYS.     | 0               |

Title agreed to.

On motion of Mr. Wagner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 11, entitled

A bill to amend section 5654, of the compiled laws, being section 18, of chapter 150, title 24, of the revised statutes of 1846, relative to the fees of jurors,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Slayton,

The bill was laid on the table.

Senate bill No. 31, entitled

A bill to amend section nineteen of an act entitled "An act to incorporate the village of Farmington," approved March 25, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Holt,    | Mr. Romeyn,  |
| Avery,        | Horton,      | Rowlson,     |
| Barnaby,      | Hubbard,     | Seward,      |
| Baxter,       | Hunt,        | Shaw,        |
| Blake,        | Hurlbut,     | Sheldon,     |
| Bostwick,     | Hutchinson,  | Shier,       |
| Boynton,      | Ingersoll,   | Sickels,     |
| G. G. Briggs, | Jewell,      | Slayton,     |
| R. V. Briggs, | L. Kendrick, | Smith,       |
| Cameron,      | Kingsley,    | Stannard,    |
| B. Clark,     | Lane,        | Stewart,     |
| O. Clark,     | Lee,         | Stockbridge, |
| Cogshall,     | Lovell,      | Swift,       |
| Crane,        | Mandigo,     | Ternes,      |



|           |             |                 |
|-----------|-------------|-----------------|
| Crossman, | Mason,      | Wagner,         |
| Curry,    | McCowen,    | Walker,         |
| Davis,    | McKernan,   | Walton,         |
| Doty,     | Mead,       | Ward,           |
| Dusseau,  | Miller,     | Weier,          |
| Eaton,    | Millington, | Wendell,        |
| Eck,      | Mitchell,   | Westover,       |
| Elliott,  | Murray,     | White,          |
| Fenner,   | Newman,     | Wilcox,         |
| Fuller,   | Norton,     | H. G. Williams, |
| Gay,      | Osborn,     | J. A. Williams, |
| Gifford,  | Plimpton,   | W. D. Williams, |
| Goodrich, | Purcell,    | Woodard,        |
| Grant,    | Putnam,     | Yawkey,         |
| Hartson,  | Riford,     | Speaker, 87     |

## NAYS.

Mr. Riopelle,

1

Title agreed to.

House bill no 58, entitled

A bill to amend an act entitled "an act to incorporate the village of Howell," approved March 14, 1863, and to add thereto one new section,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Ashley,   | Mr. Hunt,    | Mr. Rowson,  |
| Avery,        | Hurlbut,     | Sanford,     |
| Baxter,       | Huston,      | Seward,      |
| Blake,        | Hutchinson,  | Shaw,        |
| Bostwick,     | Ingersoll,   | Sheldon,     |
| Boymton,      | Jewell,      | Shier,       |
| G. G. Briggs, | L. Kendrick, | Sickels,     |
| R. V. Briggs, | Kingsley,    | Slayton,     |
| Cameron,      | Lane,        | Smith,       |
| B. Clark,     | Lee,         | Snell,       |
| O. Clark,     | Lovell,      | Stannard,    |
| Coghall,      | Mandigo,     | Stewart,     |
| Crane,        | Mason,       | Stockbridge, |
| Crossman,     | McCowen,     | Swift,       |
| Curry,        | McKernan,    | Ternes,      |
| Davis,        | Mead,        | Wagner,      |
| Doty,         | Miles,       | Walker,      |
| Dusseau,      | Miller,      | Walton,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Eaton,    | Millington, | Ward,           |
| Eck,      | Mitchell,   | Weier,          |
| Elliott,  | Murray,     | Wendell,        |
| Fuller,   | Newman,     | Westover,       |
| Gay,      | Norton,     | White,          |
| Gifford,  | Osborn,     | Wilcox,         |
| Goodrich, | Plimpton,   | H. G. Williams, |
| Grant,    | Purcell,    | J. A. Williams, |
| Hartson,  | Putnam,     | W. D. Williams, |
| Holt,     | Riford,     | Woodard,        |
| Horton,   | Riopelle,   | Yawkey,         |
| Hubbard,  | Romeyn,     | Speaker, 90     |

NAYS.

Mr. Barnaby, 1

Title agreed to.

On motion of Mr. Gay,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Sanford moved that the special order for this afternoon, at two o'clock, be postponed until half-past two o'clock;

Which motion did not prevail.

On motion of Mr. Cameron,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Wilcox,

The House went into committee of the whole, on the special order,

Mr. Plimpton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

And have directed their chairman to report the bill back to the House, with the recommendation that it be re-committed to the committee on internal improvements, with instructions to amend the same so that it shall contain the following provisions:

1. For the issue of bonds by townships, villages and cities, in aid of railroads, in accordance with a vote of the people, as provided in the bill, not exceeding 10 per cent. of assessed value;

2. After aid shall have been determined upon by the towns and cities, provide for all the bonds being delivered to the Auditor General or State Treasurer, to be registered by him, and a record thereof kept, and delivered by him to the company entitled to the same, upon certificate of the Governor that the company has fully complied with all the conditions of the law entitling them to the bonds;

3. Make interest on all bonds issued payable on the first day of July, or other given time, at the office of the State Treasurer, and in case the same is not paid when due, the same to be certified by the State Treasurer to the board of supervisors of the proper county, who shall assess the same as part of the State tax upon the proper township or city, and the State Treasurer shall pay the same to the holders of coupons, &c.;

4. Bonds to be properly indorsed by the Auditor General, with a certificate of filing and delivery, in accordance with the facts—the time when and to whom delivered; his fees to be paid by the company receiving the bonds;

5. Also, so as to provide against townships, villages and cities which have heretofore, under special laws of this State, granted aid either by loan, gift or otherwise, to railroads, availing themselves of the benefits of this act, to any amount which,

with the amount so before granted, shall exceed the amount specified in the first section of the act;

6. To provide for a two-thirds vote of the electors voting on the subject

EMORY M. PLIMPTON, *Chairman.*

Report accepted.

On motion of Mr. Slayton,

The bill and recommendations were laid on the table.

Mr. Smith, by unanimous consent, offered the following:

*Resolved*, That the use of this Hall for Wednesday evening, Feb. 17th, be granted to Dr. Haven, for the purpose of giving a lecture on education;

Which was adopted.

On motion of Mr. Sanford.

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, February 17, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent without leave: Mr. Hartson.

Mr. Boynton asked and obtained leave of absence for Mr. Hartson, for an indefinite time, on account of sickness.

Mr. Cogshall asked and obtained leave of absence for himself, until Friday morning.

#### PRESENTATION OF PETITIONS.

By Mr. Ingersoll: petition of S. R. Kelsey and 47 others, voters in the village of Corunna, who, without due consideration, signed a remonstrance against the incorporation of the city of Corunna, but now, on mature reflection, pray for such city corporation.

On motion of Mr. Ingersoll,

The petition was laid on the table.

By Mr. Shaw: remonstrance of Charles Bassett and 43 others, citizens of the township of Madison, Lenawee county, against having any portion of said township set off to the city of Adrian.

Referred to the committee on banks and incorporations.

By Mr. Horton: petition of W. R. Marsh, J. Dunlap, J. Buckbee and 29 others, asking that the law of 1855, requiring the Regents of the University to maintain a chair of homeopathy in the University, be repealed, and that the law of 1867 be amended so as to grant aid to the University without restriction.

Referred to the committee on education.

By Mr. Walton: petition of G. A. Hathaway, W. G. Smith and 87 others, citizens of the village of Palmyra, Lenawee county, asking for the passage of a law to prevent persons from riding or driving on sidewalks.

Referred to the committee on banks and incorporations.

By Mr. Miller: petition of Giles Hubbard, T. W. Snook, S. S. Gale and 170 others, citizens of the village of Mt. Clemens, praying for an amendment to the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. Thompson: petition of H. G. Barber, R. W. Griswold and 80 others, in behalf of the Agricultural College.

On motion of Mr. Thompson,

The petition was referred to the committee on the Agricultural College, and was ordered printed in the journal.

The following is the petition:

*To the Honorable, the Legislature of the State of Michigan:*

We, the undersigned, citizens and tax-payers of Vermontville, Eaton county, believing that the State Agricultural College is an institution of learning deserving the hearty support and endorsement of the industrial classes; and believing further, that the grant of land from the general government for its endowment, will, in a very few years, place it beyond the necessity of further drafts upon the State treasury, would respectfully, but

earnestly petition your honorable body to make all necessary appropriations for its use and support;

And your petitioners will ever pray.

VERMONTVILLE, Feb. 8, 1869.

|                     |                    |                   |
|---------------------|--------------------|-------------------|
| R. W. Griswold,     | Horace Wilson,     | E. W. Hyde,       |
| Homer G. Barber,    | C. D. Hall,        | Jesse Chance,     |
| H. J. Martin,       | Robert Murt,       | J. F. Scovell     |
| Mart. F. Barber,    | William Parmenter. | D. E. Bissett,    |
| J. H. McCutler,     | C. H. Browning,    | Julius Humeston,  |
| R. Harper,          | W. N. Benedict,    | James Walworth,   |
| Amon Hooken,        | James A. Cloues,   | M. L. Squier,     |
| Augustus C. Drake,  | O. H. Spoor,       | J. F. Fralick,    |
| Chas. Hull,         | Jacob Fuller,      | Wm. C. Bodina,    |
| C. G. Townsend,     | H. J. Mears,       | Eben Tracy,       |
| Albert G. Jewell,   | Dan'l Barber,      | Asa Benedict,     |
| W. H. Dickinson,    | James Fleming,     | E. H. Branch,     |
| Ike C. Griswold,    | Abram B. Clapper,  | W. B. Shackelton, |
| Ike S. Griswold,    | E. O. Boardman,    | Myron Bronson,    |
| C. R. Briggs,       | J. A. Kimball,     | Henry Sprague,    |
| Chas. R. Slaughter, | John Ohse,         | A. S. Dickinson,  |
| S. L. Green,        | John Lute,         | P. C. Peisth,     |
| Morris P. Pember,   | C. E. Hammond,     | Willard Davis,    |
| Chas. Hope,         | Geo. W. Wisley,    | Mariero Roller,   |
| R. P. Sprague,      | Wm. H. Benedict,   | C. H. Dwight,     |
| Julius Hall,        | W. B. Martin,      | S. S. Church.     |
| E. H. Lazarus,      |                    |                   |

By Mr. Gifford: petition of Hon. E. C. Adams, O. J. Woodward and 90 others, asking for the enlargement of the boundaries of the village of Plainwell.

Referred to the committee on banks and incorporations.

By Mr. Avery: petition of D. L. Coon, E. B. Edwards, J. J. Shearer, W. N. Portee and 60 others, citizens of the State of Michigan, asking an amendment of the law relative to the keeping of billiard tables for hire, so as to permit the same to be licensed.

Referred to the committee on State affairs.

By Mr. Miller: remonstrance of A. Morass and 46 others, citizens of the village of Mt. Clemens, against amending the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. Plimpton: petition of Samuel French, H. N. Hath-

away, John McGowan, W. Redding and 161 others, asking for a division of the township of Bertrand, county of Berrien, and creating a new township.

Referred to the committee on towns and counties.

By Mr. B. Clark: petition of common council of the village of Albion, asking for the revision of the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. Wendell: petition of J. S. Dixon, Philo Beers and 139 others, citizens of Emmet county, praying for the organization of Charlevoix county;

Also: petition of John Monroe, Daniel Monroe and 40 others, citizens of Antrim county, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Cameron: memorial of the Grand Rapids and Indiana railroad company.

On motion of Mr. Cameron,

The memorial was referred to the committee on internal improvements, and was ordered printed in the journal.

The following is the memorial:

THE GRAND RAPIDS AND INDIANA RAILROAD COMPANY.

*To the Senate and House of Representatives of the State of Michigan:*

In view of the concurrent resolution of the two Houses of the Legislature, passed on the twenty-eighth day of January, ult., and of the opinion of the Attorney General, presented to the Legislature on the 11th day of February, instant, in response to that resolution, the undersigned, President of the Grand Rapids & Indiana Railroad Company, deems it his duty respectfully to submit to the Legislature a statement in defense of the rights and interests which he represents.

Immediately upon being informed of the resolution of the 28th ult., the undersigned, on the 3d instant, for the purpose of placing the Attorney General in possession of such facts as might be of service to him in the preparation of his report, addressed to him a letter, accompanied with copies of papers, which are herewith submitted.

Upon these papers, and upon the legislation of the State in regard to the Grand Rapids and Indiana Railroad Company, and upon a full knowledge of its affairs, the following points and statements are respectfully submitted.

### I.

The Grand Rapids and Indiana Railroad Company is a corporation in fact and in law, existing under the laws of Michigan and Indiana, with power to construct, own and operate a railroad from Fort Wayne, in the State of Indiana, to the Straits of Mackinaw, and its corporate existence and franchises cannot be dissolved nor destroyed, nor its property divested, except by due course of judicial procedure.

### II.

The act of the Legislature of Michigan, approved February 12, 1867, pardoned or waived all delays, defaults and causes of forfeiture, if any, by the Railroad Company, as to lands or franchises prior to that time, and affirmed the existence of the Railroad Company, and its continuous right to construct its road.

### III.

On the 31st day of December, 1868, the Governor of the State, within the sphere of his executive duty and authority, recognized the existence of the Company, and under the seal of the State, certified the fact of the completion by the company of twenty continuous miles of its railroad as a first-class road.

### IV.

The Railroad Company is not in fact, nor in law, "irresponsible and insolvent, and as such unable to further prosecute the work of construction on such road," and the reports and belief to that effect, referred to in the preamble of the legislative resolution of January 28th, ult., originate with enemies of the company desiring to destroy it.



## V.

The Railroad Company, if left undisturbed by unfriendly legislation, and unrestrained by judicial order or process, will complete on or before the first day of July next, twenty additional miles of its road, in accordance with the second condition of the act of February 12, 1867, and continue to perform all conditions imposed on it by existing laws.

## VI.

The Receivership created in the United States Court of the Western District of Michigan, is not an act or evidence of insolvency, nor of inability to progress with and complete the railroad, for the road itself, if all interests concerned so require, may be in whole or in part constructed by a Receiver under the sanction and protection of the Court. This fact is verified by the history of some of the most important railroads of the country, which have for years been held, constructed, improved and operated under Receivers, and ultimately restored to their stockholders. The Receivership is a measure of protection, friendly to all having legitimate interests in the property, and can be maintained until the affairs of the company are relieved from embarrassment. Its necessity arose from an attempt by hostile parties to obtain a Receiver in a suit in the Kalamazoo Circuit Court by a judgment creditor and stockholders, its declared purpose being *the dissolution* of the company, involving of necessity the sacrifice of its property. *The judgment debt has since been paid in full by the company, to the amount of near \$30,000,* but the suit is still pressed for its original purpose, the dissolution of the company. The Receivership sought for by the enemies of the company was for its destruction, whereas the Receivership in the United States Court was asked for by a friendly creditor, and assented to by the company without prejudice to its rights, for the purpose of *preserving* the company and its property, not their destruction—and before the law and the public judgment the company will stand justified.

## VII.

The work of construction on the railroad has progressed almost continuously since the 19th day of February, 1867, in full faith of the validity and protection of the Extension act of that date, and the company has continuously claimed and exercised its corporate rights, in accordance with the purpose of its creation, receiving and expending legitimately large sums of money, and contracting and paying debts, and has never abandoned nor intended to abandon its corporate rights, or the work it has undertaken and is required to do, nor suspended its lawful business operations; and the value of work done and material furnished for the road since February 12, 1867, very largely exceeds all values that had previously for thirteen years gone into its construction, and the actual values in the road, in right of way, work, material, equipment and structures, including the iron rails already bought for, but not yet laid on, the road, and not including the value of the land grant and franchises of the company, are not less than \$1,500,000, and largely exceed the real and just indebtedness of the company—stockholders and creditors alike relying on the forbearance and faith of the State for the preservation of what they had invested in the road, on the faith of the Congressional and State grants for its construction.

Of the capital stock issued by the company, \$376,500 in amount was issued to cities and townships for bonds lawfully issued to the company, and used by it in the prosecution of its work, viz:

|   |          |
|---|----------|
| To townships in Kent county, Mich.,.....          | \$16,000 |
| “ city of Grand Rapids,.....                      | 100,000  |
| “ townships in St. Joseph and Kalamazoo county,.. | 76,000   |
| “ city of Kendallville, Indiana,.....             | 83,000   |
| “ “ Fort Wayne, “ .....                           | 101,500  |

And in addition to these, municipal aid has been voted in Michigan to the amount of \$179,000, but is not yet realized: of which bonds for \$100,000 of the township of Kalamazoo have been earned by and are due to the company.

Twenty-five miles of road have been ironed, of which twenty-four are in Kent county, and one in Kalamazoo county.

The section of road from Grand Rapids to Cedar Springs (20 miles) has been equipped and successfully operated since December, 1867, earning for the year 1868, over \$52,000.

The grading and bridging between Grand Rapids and Kalamazoo, (49 miles,) including the bridging of Grand River, are done, with the exception of about five miles.

From Kalamazoo to Rome City, Indiana, (59 miles,) the grading and bridging are substantially done.

From Rome City to Fort Wayne, (33 miles,) about four miles are graded; and it may be stated generally, that from Fort Wayne to Grand Rapids, (140 miles,) but about thirty miles of grading and bridging remain to complete the road-bed ready for ties—of which about 150,000 are made, and that the entire work from Fort Wayne to Big Rapids, (195 miles,) is in condition to be completed during the year 1869.

Forty-one hundred gross tons of iron rails, of 56-lb. per lineal yard, and sufficient to lay forty-seven miles of road—are now in Detroit, purchased by the company for use on its road; the freights whereon from New York to Detroit have been paid, and the iron will be laid so soon as negotiations, pending in regard thereto, are consummated.

All the earthwork and structures are thoroughly and substantially done, with a view to a first-class railroad.

The reasons for the progress of work between Cedar Springs, and Fort Wayne (all of which is by the terms of the Congressional grant part of the land grant line) instead of its concentration north of Cedar Springs, are stated in the letter of December 7, 1868, to Governor Crapo, in addition to which may be stated the fact that the local aid to the road was mainly conditioned for its expenditure in the localities where the aid was contributed. Other reasons, growing out of the financial negotiations of the company during 1868, giving confidence in its ability to complete 200 miles of its road north from Fort Wayne, during the year 1869, and the acts of the enemies of

the company to prevent the success of such negotiations, might be stated, but their detail is incompatible with the intended limits and character of this summary of the company's affairs.

### VIII.

While it is not claimed that the Railroad Company is financially unembarrassed, it is true to say that its embarrassments and discredit mainly arose *prior* to the extension act of 1867. They were generally known to the Legislature and the public at that time. The company has removed many of them by payment or by negotiation, and many more would have been removed except for the determined hostility with which the company for more than two years past has been pursued by enemies interested in its destruction.

The parties most active in warfare upon the company are not its creditors or stockholders, but parties concerned in and controlling the railroad now in operation between White Pigeon and Kalamazoo, and in the road now partly constructed between Kalamazoo and Grand Rapids *via* Allegan, their purpose being to divest the Grand Rapids and Indiana Railroad Company of its land grant, and to have the same conferred on a company lately attempted to be organized under the name of the "*Michigan Northern Railroad Company*," the parties controlling which and the directors named in its articles of association, are those who mainly own or control the roads from White Pigeon to Kalamazoo, and from Kalamazoo *via* Allegan to Grand Rapids, and further, to effect by hostile legislation or judicial procedure, a dissolution of the Grand Rapids and Indiana Railroad Company, and to force a sale of its property and completed road, so that the same may be bought at a sacrifice and made subservient to the use of such new company, the result of which would be the abandonment of and destruction of the value of the graded road of the Grand Rapids and Indiana Railroad Company from the Michigan State line to Grand Rapids, and the protection of the road from White Pigeon to Grand Rapids *via* Allegan, from the competition of the Grand Rapids and Indiana road.

The undersigned does not consider it necessary, even if respectful to the Legislature, to attempt to enumerate or specify all the hostile and injurious acts of the persons referred to towards the Grand Rapids and Indiana Railroad Company, to impair its credit, retard the progress of its work, and utterly destroy the company. These hostile and injurious acts are notorious in the communities on the line of the road, are reflected in the public press, and are susceptible of unquestionable proof; and the undersigned states, but without design to make any injurious imputation upon the Attorney General, that the "*bill of complaint, duly verified by an ex-President of this company,*" referred to in the report of the Attorney General as having been signed by him, "to test the legal validity of this corporation," was so signed upon the solicitation of H. H. Emmons, the attorney employed to effect the destruction of the company, and who has frequently avowed his purpose to destroy it.

The undersigned further states that, in no way, has the Grand Rapids and Indiana Railroad Company, its officers or directors, given cause or occasion for the warfare of hostile interests upon it, during the last two years, except in the legitimate and honorable prosecution of the work upon its land grant line of railroad, and in the equally legitimate and honorable effort to restore and establish the financial credit of the company. As has been well remarked, "the enemies of the company make war upon it, not because they fear it will *fail*, but because they fear it will *succeed*." The war upon the railroad company by the combination referred to, and the means and appliances to effect its object, are against public policy, injurious to the public interests, and ruinous to the lawful rights of the stockholders and creditors of the company, and will, as the undersigned believes, upon proper investigation, receive the just condemnation of the Legislature.

The importance of the Grand Rapids and Indiana Railroad to the State of Michigan, is apparent by the line it occupies, traversing the whole length of the south Peninsula and termin-

ating at Fort Wayne, the intersecting or terminal point of a system of roads East, West and South, reaching markets of immense value to all the business interests of Michigan. The Grand Rapids and Indiana Railroad Company has no entangling contracts with any connecting road. It is proposed to make it a free and untrammelled line, tributary and subservient to no other. Unlike the competing line which is seeking to destroy it, the movement of its traffic is not subject to the dictation of a Company which would, if it could, control in its own interest every railroad in the State of Michigan. The fact that the Grand Rapids and Indiana Railroad should remain free, is one of more value to the business interests of the State, than the land grant itself, and the attempt to crush the Company in the interest of rival lines, is an attempt to strengthen powerful monopolies at the public cost.

#### X.

The undersigned submits that it is without precedent in the history of American railways, that the State—at the instigation of mere hostile interests, and against the wishes and interests of *bona-fide* stockholders and friendly creditors—should interpose to destroy a corporation constructing a railroad of eminent public utility, even though struggling under great financial embarrassments, when it had substantially performed its public duty, and had completed any considerable part of its road, and was honestly and hopefully endeavoring to complete the residue. Many of the most important American railways have been constructed amid trials and embarrassments, often times taxing and wearing out and exhausting the energies and means of their projectors. If the rigid enforcement of penalties and forfeitures against railroad companies, for delays of work or temporary failures of payment of debts, were the rule of public policy and procedure, many railways now prosperous and useful, would never have been completed. Far better is it, that rights and franchises once acquired and not abused, should remain as the security of those who have, in good faith, invested

means in railroad construction, and that all having legitimate concern in the property, should be left to the ordinary course of law for the collection of claims against it. The State is safe in its hold upon the lands of the Grand Rapids and Indiana Railroad Company, and under the conditions of existing law, the railroad company is not in default in regard to the lands, and until it is in default, it has the right respectfully to ask that its case may not be prejudged by the State. This consideration is entitled to weight, for the reason that it is to the efforts of the Grand Rapids and Indiana Railroad Company, in the Congress of the United States, in the session of 1864, that the State of Michigan is indebted for the grant of over 400,000 acres of public land, to aid in the extension of the Grand Rapids and Indiana Road from Grand Rapids to Fort Wayne; and it is to the same efforts in the session of Congress of 1865, that the State owes its own continued interest until June, 1874, in the grants of June 3, 1856, and June 7, 1864. Except for the efforts of the company in Congress, the State of Michigan to-day would have no grant from Congress, of public lands to aid in the construction of a railroad from Fort Wayne, in the State of Indiana, to Traverse Bay.

Upon the faith of these grants to the railroad company, and of subsequent State legislation, a very large expenditure has been made, twenty-five miles of road have been completed, and one hundred miles more graded, and nearly fifty miles of additional iron purchased. Private means and municipal credits to large amounts have gone into the road. Rights of *bona fide* stockholders and creditors have arisen. A revocation of the grant—a solemn contract by the State—even if it were in the power of this Legislature to break that contract, and a dissolution of the company, would work vast injury to both public and private interests.

The present managers of the company shrink from no investigation as to their management of its affairs, since the 12th day of February, 1867. They have kept the contract and fulfilled their duty to the State, as defined in the act of that date, and

they respectfully submit that no occasion has yet arisen for the disturbance of the property, rights and franchises of the company by any adverse action of the Legislature.

JOSEPH K. EDGERTON,

*President G. R. & I. R. R. Co.*

LANSING, Feb. 16, 1869.

GRAND RAPIDS AND INDIANA R. R. COMPANY, }  
OFFICE OF THE PRESIDENT,  
*Fort Wayne, February 3, 1869.* }

DEAR SIR—I have to-day seen a copy of the preamble and resolutions of your Legislature, adopted on the 28th ult., in regard to the Grand Rapids and Indiana railroad company.

In view of the magnitude of the public and private interests concerned, and the grave responsibility which has been cast upon you in this matter, permit me to say to you, that I shall be in readiness, by personal interview or by written or printed statements, to furnish you such information of fact as you may desire in regard to the affairs of the company.

I believe that I can truly say that the directors and officers of this company are earnestly endeavoring to do their duty to the State, and to all having any legitimate concern in the welfare and success of the company.

We have performed the first condition of the extension act of Feb'y 12, 1867, and expect to perform the second condition of that act, requiring the completion of an additional twenty miles of our road by July 1, 1869.

The Legislature of 1867 was not unadvised of the condition of our affairs, when it passed the act of Feb. 12, 1867, for the printed memorial, a copy of which I now hand you, was laid before the Legislature, and printed in the official journal of the House of Representatives. Having thus far kept our faith with the State, we hope not to be prejudged as to our purpose or ability to keep it, until the full duty of the company is performed.

The inclosed papers may be of interest to you.

Yours truly,

(Signed) JOS. K. EDGERTON, *Pres't.*

HON. DWIGHT MAY, *Att'y Gen'l.*



GRAND RAPIDS AND INDIANA R. R. COMPANY, }  
OFFICE OF THE PRESIDENT,  
Fort Wayne, Ind., Dec. 24th, 1867. }

His Excellency, HENRY H. CRAPO, *Governor of Michigan:*

SIR—I have the honor to inform your Excellency, that the Grand Rapids and Indiana railroad company, in conformity with the act of the Legislature of Michigan, approved Feb. 12th, ult., have completed, and put in good running order, twenty and one-fourth continuous miles of their railroad, viz: from a point thirteen hundred feet south of Bridge street, in the city of Grand Rapids, to the village of Cedar Springs, in Kent county. The completed section of the road has been opened for business.

This long delayed enterprise has, therefore, in part, at least, passed from a project into a reality, and I feel confidence in saying that the work will steadily progress to completion, until the Grand Rapids and Indiana railroad shall take the place due to its importance as a public work, intimately connected with the growth and prosperity of the State of Michigan. I have the honor to be,

Your Excellency's most obedient servant,

[Signed]

JOS. K. EDGERTON, *President.*

STATE OF MICHIGAN, }  
EXECUTIVE OFFICE,  
Flint, January 4th, 1868. }

JOSEPH K. EDGERTON, Esq.,

*Pres. G. R. and I. R. R. Co., Fort Wayne, Ind.:*

SIR—Your favor of the 24th ult. is received, stating that you have completed 20½ miles of your road, which has been opened for business. I have waited a few days in answering your letter, hoping that I might be able to state, in my answer, the precise time when I could meet you, or some other officers of the road, at Grand Rapids, with a view to its examination and acceptance. But my engagements are such that I am unable to state the time now. I will, however, attend to it at the

earliest possible day, and will give you notice as soon as I can determine as to the time. How much notice will you require? and how long should I probably be delayed there? I shall reach Grand Rapids by the evening train, and should not need to stop there the next day longer than would be required for me to pass over the road. I am under the necessity of visiting Washington as soon as my health will possibly justify my making so long a journey, and have been proposing to myself to leave here in about one week. If I go as soon as that, the inspection of your road will have to lay over until my return.

I am,

Very truly yours, etc.,

(Signed)

HENRY H. CRAPO.

GRAND RAPIDS AND INDIANA R. R. COMPANY, }  
OFFICE OF THE PRESIDENT, }  
Fort Wayne, Ind., Dec. 7, 1868. }

His Excellency, HENRY H. CRAPO, *Governor, etc.:*

SIR—I have heretofore had the honor to inform your Excellency, that the Grand Rapids and Indiana Railroad Company had, in compliance with the first condition of the act of the Legislature of the State of Michigan, approved February 12th, 1867, completed and put in good running order twenty continuous miles of its railroad, viz.: from Bridge street, in the city of Grand Rapids, to the village of Cedar Springs. That section of the road has been successfully operated during the past year, and proved of great public convenience and utility to the section of country traversed by it.

I have further to inform you that on the twenty-third day of November, 1867, a contract was executed between this company and Mr. Edward B. Talcott, a civil engineer of experience and good reputation, and five associates, representing an aggregate of personal responsibility of at least \$750,000, for the construction and completion, exclusive of the iron rails, track-laying materials, and equipment (which are to be furnished by the Railroad Company,) of two hundred miles of main

line, and necessary sidings of the company's road, extending from the city of Fort Wayne, in Indiana, to a point about six miles north of the village of Big Rapids, in Mecosta county, to be completed by the first day of December, 1869. By the terms of this contract, the contractors are required to do their part of the work in such time and manner as to fully comply with all laws governing the company. Although this contract bears date November 23d, 1867, its terms were substantially arranged, and work under it commenced on the first day of August, 1867, and has since been continuously prosecuted as rapidly as the means of the company have admitted.

The consulting Engineer of this company, Mr. Henry A. Gardner, under my direction, has lately examined the section of the road of 23 16-100 miles, viz.: from Plaster Creek, three miles south of the city of Grand Rapids, to Cedar Springs, and reports it in good condition, and the section of twenty miles, from Grand Rapids to Cedar Springs, as completed in accordance with the construction contract, I have referred to. A copy of this report, I have the honor to submit herewith, and therefore beg leave to inform your Excellency that the last named section of twenty miles has been completed, in a good and substantial manner, as a first-class railroad, in accordance with the second section of the act of Congress, approved June 7th, 1864, amending and enlarging the grant of June 8d, 1856. This Railroad Company therefore claims full title to the granted lands which are located opposite to and coterminous with said completed section of their road, and not further than twenty miles from the line thereof, and I respectfully ask such examination of the road to be made as will satisfy your Excellency of its condition, and of the rights of the company in regard thereto, and I will be gratified to be informed of the time of such examination.

I regret to state further, that the progress of our work during the past year has, for many reasons, not been as rapid as the interests of the company and the public want and expectation have demanded. The company has had to labor under the dis-

advantage of an impaired credit, the result of financial difficulties not of recent origin, and has also met with delays and embarrassments, caused by adverse local and personal interests, especially at Kalamazoo and Grand Rapids, but the directors have aimed to overcome them, by a policy faithful and just to all concerned.

It has been the policy of the company, after complying with the first condition of the extension act of Feb. 12, 1867, to complete next the southern division of the road, from Fort Wayne to Grand Rapids, all of which, by the amended Congressional grant of June 7, 1864, and the State grant of March 10, 1865, is part of the land grant line, so as not only to place the road in a self-sustaining condition by its own earnings, and thus secure a credit and means for further progress, but also to place it in an independent position to distribute at its southern terminus, and over the connecting roads, to wider markets than the State affords, the products of Michigan which will be gathered on the road north of Grand Rapids, as well as to afford a direct route for migration into the unsettled section of the State adjacent to the located line of the road, it being believed that the company will thus soonest and most effectually accomplish the grand object of its organization, and of the munificent grants made to it by the State.

It is confidently expected to complete the two hundred miles of road, covered by the existing construction contract, before the first day of January, 1870, and much more than an additional twenty miles of road will be in operation before July 1st, 1869, and the progress of the road northward, of the two hundred miles, will be as rapid as the means and credit of the company can make it. The inducements of revenue and profit from the lands to be acquired, is a sufficient guarantee of effort in that regard.

The actual value now in our road, including the material bought for it, and not yet used, viz.: 4,100 tons of iron rails, now in custom-house bond at Detroit, and the material now delivered on the road for laying these rails, and excluding the

value of the land grant and franchises, is estimated to be \$1,500,000, and not to exceed thirty-five miles of average grading remains to be done, to fit the road for the iron between Fort Wayne and Grand Rapids, a distance of about one hundred and forty miles, and that section between Kalamazoo and Grand Rapids, (48 miles,) for which the iron at Detroit was bought, is in condition, with suitable weather for work, to be put in operation within ninety days.

I have the honor to be

Your Excellency's most ob't serv't,

(Signed,)

JOS. K. EDGERTON, *President*.

STATE OF MICHIGAN, }  
EXECUTIVE OFFICE, Lansing, 186 }

*To the Hon. the Secretary of the Interior of the United States:*

WHEREAS, An act of Congress, entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, lands were granted to the State of Michigan, to aid in the construction of a railroad from Grand Rapids to some point on or near Traverse Bay, which grant was renewed and extended by an act of Congress, approved March 3, 1865, entitled "An act to amend an act entitled an act to amend an act entitled an act making a grant of alternate sections of public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes;"

*And whereas*, By an act of the Legislature of the State of Michigan, approved Feb. 14, 1857, and entitled "An act disposing of certain grants of land, made to the State of Michigan for railroad purposes, by act of Congress, approved June 3, 1856, so much of the lands as were granted by said act of Congress, to aid in the construction of a railroad from Grand Rapids to some point on or near Traverse Bay, were conferred upon the 'Grand Rapids and Indiana Railroad Company.'"

Now therefore, I, Henry H. Crapo, Governor of the State of Michigan, do hereby certify, that "the Grand Rapids and Indiana Railroad Company" has constructed and completed, in a good and substantial manner, as a first-class railroad, twenty (20) continuous miles on the located line of the road of said company, from Grand Rapids to some point on or near Traverse Bay, in the State of Michigan; that said twenty continuous miles of railroad commences at a point thirteen hundred feet south of Bridge street, in the city of Grand Rapids, Kent county, Michigan, and terminates at the village of Cedar Springs, Kent county, Michigan.

In testimony whereof, I have made and executed this certificate, and have caused the great seal of the State of Michigan, to be hereto attached, this 31st day of December, A. D. 1868.

[L. S.]

HENRY H. CRAPO,

*Governor of the State of Michigan.*

By the Governor:

SAMUEL H. ROW, *Deputy Secretary of State.*

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3 of an act to authorize the city of Saginaw to raise money to build a county jail, for the county of Saginaw, approved January 30, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3776, of the compiled laws, in relation to transfer of causes in justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Coghall,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred so much of the retiring Governor's message, and of the Governor's inaugural message, as referred to the military affairs of the State,

Respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying bill, entitled,

A bill to amend an act entitled "An act for the reorganization of the military forces of the State of Michigan," being act 16, of the session laws of 1862, and to add one new section thereto, to stand as section 97;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution urging upon our Senators and Representatives in Congress, the importance of securing to certain Indians

and other persons their rights to Indian reservation lands in Muskegon county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for laying out and establishing a State road in the township of Ishpening, county of Marquette,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish a State road in Houghton county, to be known as the Portage river and Torch lake State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.



The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to provide for paying expenses authorized to be incurred by the Legislature,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend an act entitled an act to provide for the selection and disposition of the lands donated to the State of Michigan by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ENOS T. LOVELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend section 1, of act No. 141, of the session laws of 1859, approved February 12, 1859, entitled an act to amend chapter 46, of the revised statutes of 1846 entitled of timber and lumber floating upon waters, or carried upon adjoining lands, being section 1599, as amended,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ENOS T. LOVELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend an act entitled "An act to organize union school district of Bay City,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred certain petitions and memorials for and against the organization of union school district No. 1, in Adrian; school district No. 1, in Spalding, Saginaw county; school district No. 1, in Algona, Penfield, &c.; school district No. 4, of Arbela and Millington; school district No. 3, Pittsfield; for organization of school dis-

trict in Lenox and Chesterfield; school district No. 6, in Marathon, and sundry others,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to provide for an appeal from the board of school inspectors, to the board of county supervisors;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions and remonstrances were laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revive and continue in force an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, and to amend sections 1 and 2 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 58, entitled

A bill to amend section 1, of act No. 291, of the session laws of 1867, entitled "An act to incorporate the village of Hubbardston," approved March 2d, 1867;

Also, Senate bill No. 67, entitled

A bill to amend section 14 of an act entitled "An act to incorporate the village of Dexter,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Smith,

The rules were suspended, and the first named bill was placed on the order of third reading.

The second named bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 21, entitled

A bill to incorporate the city of Hillsdale,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Osborn,

The rules were suspended, and the bill was placed on the order of third reading.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

SECRETARY OF STATE'S OFFICE, }  
Lansing, February 17, 1869. }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution, adopted by the House on the 13th inst., requesting the Secretary of State to furnish an abstract of the annual reports for 1868, of all insurance companies organized under the laws of this State, I transmit herewith such abstracts, containing the information called for.

Very Respectfully,

O. L. SPAULDING,

*Secretary of State.*



|      |  |                    |          |          |          |        |       |       |
|------|--|--------------------|----------|----------|----------|--------|-------|-------|
| 1863 | Genesee Co. Farmers' Mut. Fire, .....            | Flint, .....       | 1,007 53 | 1,007 53 | 1,608 00 | 175 76 | None. | None. |
| 1863 | Farmers' Mut. Fire of Ingham Co., .....          | Mason, .....       |          |          |          |        |       |       |
| 1869 | Washington Mutual Fire, .....                    | San Arbor, .....   |          |          |          |        |       |       |
| 1869 | Clifton Co. Farmers' Mut. Fire, .....            | Clifton Co., ..... |          |          |          |        |       |       |
| 1863 | Farmers' Mutual Fire of St. Joseph County, ..... | Oxford, .....      |          |          |          |        |       |       |
| 1868 | Centerville, .....                               | Centerville, ..... |          |          |          |        |       |       |
| 1868 | Saginaw Mutual Health and Ac., .....             | E. Saginaw, .....  |          |          |          |        |       |       |

**\*\* Reports returned for correction.**

\* Reports received  
† No report.

*ABSTRACT of Reports of Stock Insurance Companies, Organized under the Laws of the State of Michigan, for the Year 1888,  
as Returned to the Office of the Secretary of State.*

| Incorporated. | NAME.                              | CAPITAL.  |            |           |                                 | LOSERS.     | EXPENSES.   | LIABILITIES. |              |                  |               |
|---------------|------------------------------------|-----------|------------|-----------|---------------------------------|-------------|-------------|--------------|--------------|------------------|---------------|
|               |                                    | Location. | Amount of. | Paid up.  | How Invested.                   |             |             | Now Due.     | Not Matured. | Claims Resisted. | Total Amount. |
| 1864          | The Michigan State.....            | Adrian.   | \$150,000  | \$150,000 | Gov., Co., & Mun'l B'ds & Mor., | \$21,414 43 | \$22,000 01 | .....        | .....        | \$2,850 00       | \$2,850 00    |
| 1866          | Detroit Fire and Marine.....       | Detroit.  | 500,000    | 150,000   | Gov., Co., & Mun'l B'ds & Mor., | 86,991 29   | \$1,793 42  | .....        | .....        | 2,850 00         | 12,718 40     |
| 1867          | State.....                         | Lansing.  | 100,000    | 100,000   | U. S. Bonds.....                | 8,176 26    | 10,173 87   | .....        | .....        | 280 00           | 1,548 80      |
| 1868          | Essex Life, Stock, Fire & Tornado, | Oxford.   | 300,000    | 100,000   | Mortgages.....                  | 2,000 00    | 10,389 47   | \$1,500 00   | 1,500 00     | 100 00           | 23,000 00     |



The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 40, entitled

A bill to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive;

2 House bill No. 24, entitled

A bill relating to interest upon installments falling due upon written contracts;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on enrolled bills, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 75, entitled

A bill to amend an act entitled "An act to incorporate the village of Ionia," approved February 17, 1865;

2. Senate manuscript bill, entitled

A bill to detach certain territory from the township of Otisco, in Ionia county, and attach the same to the township of Keene, in the same county;

3. Senate manuscript bill, entitled

A bill to repeal act No. 430, of the session laws of 1867, approved March 25, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were read a first and second time by their titles, and On motion of Mr. Smith,

The rules were suspended, and the bills were placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 32, entitled

A bill to provide for the incorporation of the "Father Matthew Total Abstinence Benevolent Societies;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 20, entitled

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee county;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 2, entitled

Joint resolution asking for a grant of \$50,000 in money, to deepen St. Mary's Falls ship canal;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

## NOTICES.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 66, of the session laws of the year 1867, approved March 20, 1867.

Mr. Barnaby gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 275, laws of 1865, relative to the Alma and Clinton State road.

Mr. Walton gave notice that on some future day he would ask leave to introduce

A bill to amend sections 3, 4, 5 and 6, of chapter 35, being sections 1314, 1315, 1316 and 1317, of the compiled laws.

Mr. H. G. Williams gave notice that on some future day he would ask leave to introduce

A bill to provide for a swamp land State road commissioner for the Upper Peninsula.

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 68 of the compiled laws, in reference to religious societies, by adding six new sections.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to modify and define the powers of circuit court commissioners in certain cases.

Mr. B. Clark gave notice that on some future day he would ask leave to introduce

A bill to amend the village charter of the village of Albion, Calhoun county.

Mr. Stewart gave notice that on some future day he would ask leave to introduce

A bill to amend section 29, of chapter 170, of the revised statutes of 1857, being section 5507 of the compiled laws, relative to the payment of debts.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to carry out the purposes of Congress, in granting lands for the construction of the ship canal from Portage Lake to Lake Superior;

Also,

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year 1868, and to extend the time for the collection of taxes in the same.

Mr. Wendell gave notice that on some future day he would ask leave to introduce

A bill to organize the county of Charlevoix;

Also,

A bill to locate the county seat of Emmet county.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill for the construction of a State road in Mason county, and ask for an appropriation of swamp land to aid in the construction thereof.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill relative to the use of district school-houses for religious services.

Mr. Elliott gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 181, of session laws of 1863, and act No. 273, of session laws of 1865, relative to levying and collecting taxes.

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 130, session laws of 1867, relative to admitting juvenile offenders to the Reform School.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the village of Lowell, approved March 15, 1861, as amended by act No. 169 of the session laws of 1865, approved March 14, 1865.

## INTRODUCTION OF BILLS.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the board of school inspectors of Adrian township, in Houghton county, for the year 1867, forming said township into one school district.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sanford, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the board of supervisors of Ingham county, in discontinuing a certain piece of State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Stockbridge, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved February 15th, 1859.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to provide for the payment of taxes levied and assessed upon lands purchased and held for non-payment of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to repeal act 138, of the session laws of 1865, entitled "an act to attach the county of Manitou to the county of Leelanaw, for certain judicial purposes," approved March 10, 1865.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to attach Manitou county to the 13th judicial circuit.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. B. Clark, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to incorporate the village of Albion," approved February 9th, 1855, and the act amendatory thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend section 2, of act No. 297, of the session laws of 1865, entitled "An act to appropriate the highway taxes upon certain lands of non-residents in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike in said township," and to add a new section thereto, to stand as section 9.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Cameron, previous notice having been given, and leave being granted, introduced

A bill to amend sections 9, 10, 11, 12, 13 and 14, of chapter 39, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riopelle, previous notice having been given, and leave being granted, introduced

A bill to amend section 14, of chapter 86, of the revised statutes of 1846, as amended by an act entitled "An act to amend section 14, of chapter 86, of the revised statutes of 1846, the same being section 3312, of the compiled laws of 1857, entitled 'of guardians and wards,'" approved January 17, 1862.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Romeyn, unanimous consent being given, introduced

A bill to enable married women to bar their right of dower.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walton, previous notice having been given, and leave being granted, introduced

A bill to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mead, unanimous consent being given, introduced

A bill to amend section 17 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section 20 of an act entitled "An act to incorporate the village of Dansville," approved March 9, 1867, being act 307, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hutchinson, unanimous consent being given, introduced

A bill to change the name of Lemon Van Valkenburg to Lemon Baker, the name of Lucy Ann Van Valkenburg to Lucy Ann Baker, and the name of Albert Van Valkenburg to Albert Baker.

The bill was read a first and second time by its title, and On motion of Mr. Hutchinson,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Ingersoll, unanimous consent being given, introduced



A bill to change the name of Cornelia Elizabeth Harmon to Cornelia Elizabeth Brooks.

The bill was read a first and second time by its title, and,

On motion of Mr. Ingersoll,

The rules were suspended, and the bill was placed on the order of third reading.

Mr. Hurlbut, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of South Haven.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Leslie.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Wendell, unanimous consent being given, introduced

Joint resolution requesting our Representatives in Congress to call the attention of the Indian Department to the necessity of having the Indians of this State vaccinated.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

#### THIRD READING OF BILLS.

House bill No. 60, entitled

A bill to incorporate the village of Augusta, in the county of Kalamazoo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |             |              |
|---------------|-------------|--------------|
| Mr. Ashley,   | Mr. Horton, | Mr. Rowlson, |
| Avery,        | Hubbard,    | Sanford,     |
| Barnaby,      | Hunt,       | Seward       |
| Baxter,       | Hurlbut,    | Shaw,        |
| Blake,        | Huston,     | Sheldon,     |
| Bostwick,     | Hutchinson, | Sickels,     |
| Boynton,      | Ingersoll,  | Slayton,     |
| G. G. Briggs, | Jewell,     | Snell,       |

|               |                 |                 |
|---------------|-----------------|-----------------|
| R. V. Briggs, | L. Kendrick,    | Stannard,       |
| Brownell,     | F. G. Kendrick, | Stewart,        |
| Cameron,      | Kingsley,       | Stockbridge,    |
| B. Clark,     | Klein,          | Swift,          |
| O. Clark,     | Lane,           | Ternea,         |
| Crane,        | Lee,            | Thompson,       |
| Crossman,     | Lovell,         | Vowles,         |
| Curry,        | McCowen,        | Walker,         |
| Davis,        | McKernan,       | Walton,         |
| Doty,         | Mead,           | Ward,           |
| Dusseau,      | Miles,          | Weier,          |
| Eaton,        | Miller,         | Wendell,        |
| Eck,          | Millington,     | Westover,       |
| Elliott,      | Mitchell,       | White,          |
| Fenner,       | Norton,         | Wilcox,         |
| Fuller,       | Osborn,         | H. G. Williams, |
| Gay,          | Plimpton,       | J. A. Williams, |
| Gifford,      | Purcell,        | W. D. Williams, |
| Goodrich,     | Putnam,         | Woodard,        |
| Grant,        | Riopalle,       | Yawkey,         |
| Holt,         | Romeyn,         | Speaker,        |
|               | NAYS.           | 87              |
|               |                 | 9               |

Title agreed to.

On motion of Mr. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 67, entitled

A bill to protect from unnecessary interruption and disturbance, our common schools,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |              |
|---------------|-----------------|--------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Sanford, |
| Avery,        | Hunt,           | Shaw,        |
| Barnaby,      | Huston,         | Sheldon,     |
| Baxter,       | Hutchinson,     | Sickels,     |
| Blake,        | Ingersoll,      | Slayton,     |
| Bostwick,     | Jewell,         | Snell,       |
| Boynton,      | L. Kendrick,    | Stannard,    |
| G. G. Briggs, | F. G. Kendrick, | Stockbridge, |
| Brownell,     | Kingsley,       | Swift,       |
| Cameron,      | Lane,           | Thompson,    |
| B. Clark,     | Lovell,         | Vowles,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Crane,    | Mason,      | Wagner,         |
| Davis,    | McCowen,    | Walker,         |
| Doty,     | McKernan,   | Walton,         |
| Dusseau,  | Mead,       | Ward,           |
| Eck,      | Miller,     | Weier,          |
| Elliott,  | Millington, | White,          |
| Fuller,   | Mitchell,   | Wilcox,         |
| Gay,      | Newman,     | H. G. Williams, |
| Gifford,  | Norton,     | J. A. Williams, |
| Goodrich, | Osborn,     | W. D. Williams, |
| Grant,    | Putnam,     | Yawkey,         |
| Holt,     | Rowlson,    | Speaker, 69     |

## NAYS.

|                   |              |             |
|-------------------|--------------|-------------|
| Mr. R. V. Briggs, | Mr. Hurlbut, | Mr. Romeyn, |
| O. Clark,         | Lee,         | Seward,     |
| Curry,            | Miles,       | Stewart,    |
| Eaton,            | Plimpton,    | Wendell,    |
| Fenner,           | Purcell,     | Westover,   |
| Horton,           | Riopelle,    | Woodard, 18 |

Mr. Slayton moved to amend the title so that it should read as follows:

A bill to protect primary schools from unnecessary interruption and disturbance;

Which motion prevailed.

The title, as amended, was agreed to.

Mr. Miller moved to reconsider the vote by which the last named bill was passed.

Mr. G. G. Briggs moved that the motion to reconsider be laid on the table;

Which motion prevailed.

House bill No. 68, entitled

A bill to aid in the government of our common schools,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |             |              |
|-------------|-------------|--------------|
| Mr. Ashley, | Mr. Horton, | Mr. Sanford, |
| Barnaby,    | Hunt,       | Shaw,        |
| Baxter,     | Hurlbut,    | Sheldon,     |
| Blake,      | Hutchinson, | Sickels,     |
| Bostwick,   | Ingersoll,  | Slayton,     |

Brownell,  
Cameron,  
B. Clark,  
Crane,  
Crossman,  
Doty,  
Dusseau,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Grant,  
Holt,

L. Kendrick,  
F. G. Kendrick,  
Kingley,  
Lane,  
Lovell,  
Mason,  
McCowan,  
Millington,  
Mitchell,  
Newman,  
Norton,  
Osborn,  
Putnam,  
Rowlson,

Snell,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,  
Walker,  
Ward,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

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## NAYS.

Mr. Avery,  
Beall,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
O. Clark,  
Curry,  
Davis,  
Eaton,  
Goodrich,  
Hubbard,  
Huston,

Mr. Jewell,  
Lee,  
McKernan,  
Mead,  
Miles,  
Miller,  
Murray,  
Plimpton,  
Purcell,  
Riopelle,  
Romeyn,

Mr. Seward,  
Shier,  
Stannard,  
Stewart,  
Wagner,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
Woodard,

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Mr. Baxter moved to amend the title by striking out the words "our common," and inserting in lieu thereof the word "primary;"

Which was agreed to.

The title, as amended, was agreed to.

House joint resolution, No. 9, entitled

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way, and aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, in Menominee county, to the iron district in Sank county,

Was read a third time, and pending the taking of the vote in the passage thereof.

Mr. Avery moved to amend the joint resolution, by adding thereto the following:

"*Provided, That if the aid asked shall be granted in the form of an appropriation of lands, said lands shall not be taken out of market, but shall be held subject to sale, and the proceeds thereof held as a fund in trust to be applied in aid of said railroad;*"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Holt,       | Mr. Shaw,       |
| Avery,        | Horton,         | Sheldon,        |
| Barnaby,      | Hubbard,        | Shier,          |
| Baxter,       | Hunt,           | Sickels,        |
| Beall,        | Hurlbut,        | Slayton,        |
| Blake,        | Huston,         | Snell,          |
| Bostwick,     | Hutchinson,     | Stannard,       |
| Boynton,      | Ingersoll,      | Stewart,        |
| G. G. Briggs, | Jewell,         | Stockbridge,    |
| Brownell,     | L. Kendrick,    | Swift,          |
| Cameron,      | F. G. Kendrick, | Thompson,       |
| B. Clark,     | Kingsley,       | Vowles,         |
| O. Clark,     | Lane,           | Wagner,         |
| Crane,        | Lee,            | Walker,         |
| Crossman,     | Mandigo,        | Walton,         |
| Curry,        | Mason,          | Ward,           |
| Davis,        | McKernan,       | Wesler,         |
| Doty,         | Miles,          | Wendell,        |
| Dusseau,      | Miller,         | Westover,       |
| Eaton,        | Millington,     | White,          |
| Eck,          | Mitchell,       | Wilcox,         |
| Elliott,      | Norton,         | H. G. Williams, |
| Fenner,       | Purcell,        | J. A. Williams, |
| Fuller,       | Putnam,         | W. D. Williams, |
| Gay,          | Riopelle,       | Woodard,        |
| Gifford,      | Romeyn,         | Yawkey,         |
| Goodrich,     | Sanford,        | Speaker,        |
| Grant,        | Seward,         |                 |

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## NAYS.

|                   |             |             |
|-------------------|-------------|-------------|
| Mr. R. V. Briggs, | Mr. Osborn, | Mr. Riford, |
| Murray,           | Plimpton,   | Rowland,    |

6

Mr. W. D. Williams moved to amend the title of the joint resolution by striking out the words "in Menominee county,"

and inserting "or Bay de Noc;" also, by striking out the word "Sauk," and inserting the word "Menominee."

Which was agreed to.

The title, as amended, was agreed to.

House manuscript bill, entitled

A bill to provide for paying expenses authorized to be incurred by the Legislature,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowison,    |
| Avery,        | Hunt,           | Sanford,        |
| Barnaby,      | Hurlbut,        | Seward,         |
| Baxter,       | Huston,         | Shaw,           |
| Beall,        | Hutchinson,     | Sheldon,        |
| Blake,        | Ingersoll,      | Shier,          |
| Bostwick,     | Jewell,         | Slayton,        |
| Bynnton,      | L. Kendrick,    | Snell,          |
| G. G. Briggs, | F. G. Kendrick, | Stannard,       |
| R. V. Briggs, | Kingsley,       | Stewart,        |
| Brownell,     | Klein,          | Stockbridge,    |
| Cameron,      | Lane,           | Swift,          |
| B. Clark,     | Lee,            | Thompson,       |
| O. Clark,     | Mandigo,        | Vowles,         |
| Crane,        | Mason,          | Wagner,         |
| Crossman,     | McCowen,        | Walker,         |
| Curry,        | McKernan,       | Walton,         |
| Davis,        | Mead,           | Ward,           |
| Doty,         | Miles,          | Weier,          |
| Dusseau,      | Miller,         | Wendell,        |
| Eaton,        | Millington,     | Westover,       |
| Eck,          | Murray,         | White,          |
| Elliott,      | Newman,         | Wilcox,         |
| Fenner,       | Norton,         | H. G. Williams, |
| Fuller,       | Osborn,         | J. A. Williams, |
| Gay,          | Purcell,        | W. D. Williams, |
| Gifford,      | Putnam,         | Woodard,        |
| Goodrich,     | Riford,         | Yawkey,         |
| Grant,        | Riopelle,       | Yawkey,         |
| Holt,         | Romeyn,         | Speaker,        |
| Horton,       |                 |                 |

## NAYS.

91

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 58, entitled

A bill to amend section 1, of act 291, of the session laws of 1867, entitled "An act to incorporate the village of Hubbards-ton," approved March 2, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,       | Mr. Romeyn,     |
| Avery,        | Huston,         | Rowlson,        |
| Barnaby,      | Hutchinson,     | Sanford,        |
| Baxter,       | Ingersoll,      | Seward,         |
| Beall,        | Jewell,         | Shaw,           |
| Blake,        | L. Kendrick,    | Sheldon,        |
| Bostwick,     | F. G. Kendrick, | Shier,          |
| G. G. Briggs, | Kingalev,       | Slayton,        |
| R. V. Briggs, | Klein,          | Snell,          |
| Brownell,     | Lane,           | Stannard,       |
| Cameron,      | Lee,            | Stewart,        |
| B. Clark,     | Lovell,         | Stockbridge,    |
| O. Clark,     | Mandigo,        | Swift,          |
| Crossman,     | Mason,          | Thompson,       |
| Davis,        | McCowen,        | Vowles,         |
| Doty,         | Mead,           | Wagner,         |
| Dusseau,      | Miles,          | Walker,         |
| Eaton,        | Miller,         | Walton,         |
| Eck,          | Millington,     | Ward,           |
| Elliott,      | Mitchell,       | Weier,          |
| Fenner,       | Murray,         | Westover,       |
| Fuller,       | Newman,         | Wilcox,         |
| Gay,          | Norton,         | H. G. Williams, |
| Gifford,      | Osborn,         | J. A. Williams, |
| Goodrich,     | Purcell,        | W. D. Williams, |
| Grant,        | Putnam,         | Woodard,        |
| Holt,         | Riford,         | Yawkey,         |
| Horton,       | Riopalle,       | Speaker,        |
| Hubbard,      |                 |                 |

85

NAYS.

0

Title agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 21, entitled

A bill to incorporate the city of Hillsdale,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowson,     |
| Avery,        | Hurlbut,        | Seward,         |
| Barnaby,      | Huston,         | Shaw,           |
| Baxter,       | Hutchinson,     | Sheldon,        |
| Beall,        | Ingersoll,      | Shier,          |
| Blake,        | Jewell,         | Slayton,        |
| Bostwick,     | L. Kendrick,    | Smith,          |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingsley,       | Stannard,       |
| Brownell,     | Klein,          | Stewart,        |
| Cameron,      | Lane,           | Stockbridge,    |
| B. Clark,     | Lee,            | Swift,          |
| O. Clark,     | Lovell,         | Thompson,       |
| Crane,        | Mandigo,        | Vowles,         |
| Crossman,     | McCowen,        | Wagner,         |
| Curry,        | McKernan,       | Walker,         |
| Davis,        | Mead,           | Walton,         |
| Doty,         | Miles,          | Ward,           |
| Dusseau,      | Miller,         | Weier,          |
| Eaton,        | Millington,     | Wendell,        |
| Eck,          | Mitchell,       | Westover,       |
| Elliott,      | Murray,         | White,          |
| Fenner,       | Newman,         | Wilcox,         |
| Fuller,       | Norton,         | H. G. Williams, |
| Gay,          | Osborn,         | J. A. Williams, |
| Gifford,      | Purcell,        | W. D. Williams, |
| Goodrich,     | Putnam,         | Woodard,        |
| Grant,        | Riford,         | Yawkey,         |
| Holt,         | Riopelle,       | Speaker,        |
| Horton,       | Romeyn,         |                 |
|               | NAYS.           | 89              |
|               |                 | 0               |

Title agreed to.

On motion of Mr. Rowson,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect on and after the 15th of March next.

On motion of Mr. Seward,



The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

Senate bill No. 75, entitled

A bill to amend an act entitled "An act to incorporate the village of Ionia," approved February 17, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowleson,   |
| Avery,        | Hunt,           | Seward,         |
| Baxter,       | Hurlbut,        | Shaw,           |
| Beall,        | Hutchinson,     | Sheldon,        |
| Blake,        | Ingersoll,      | Shier,          |
| Bostwick,     | Jewell,         | Slayton,        |
| Boynton,      | L. Kendrick,    | Smith,          |
| G. G. Briggs, | F. G. Kendrick, | Snell,          |
| R. V. Briggs, | Kingsley,       | Stannard,       |
| Cameron,      | Klein,          | Stewart,        |
| B. Clark,     | Lane,           | Stockbridge,    |
| G. Clark,     | Lee,            | Swift,          |
| Crane,        | Lovell,         | Thompson,       |
| Crossman,     | Mandigo,        | Vowles,         |
| Curry,        | McCowan,        | Wagner,         |
| Davis,        | McKernan,       | Walker,         |
| Doty,         | Mead,           | Walton,         |
| Dusseau,      | Miller,         | Ward,           |
| Eaton,        | Millington,     | Weier,          |
| Eck,          | Mitchell,       | Wendell,        |
| Elliott,      | Murray,         | Westover,       |
| Fenner,       | Newman,         | White,          |
| Fuller,       | Norton,         | Wilcox,         |
| Gay,          | Osborn,         | H. G. Williams, |
| Gifford,      | Parcell,        | J. A. Williams, |
| Goodrich,     | Putnam,         | W. D. Williams, |
| Grant,        | Riford,         | Woodard,        |
| Holt,         | Riopelle,       | Yawkey,         |
| Horton,       | Romeyn,         | Speaker, 87     |

## NAYS.

0

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to detach certain territory from the township of Otisco, in Ionia county, and attach the same to the township of Keene, in the same county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Hubbard,    | Mr. Rowson,     |
| Avery,        | Hunt,           | Seward,         |
| Barnaby,      | Hurlbut,        | Shaw,           |
| Baxter,       | Huston,         | Sheldon,        |
| Beall,        | Hutchinson,     | Shier,          |
| Blake,        | Ingersoll,      | Slayton,        |
| Bostwick,     | Jewell,         | Smith,          |
| G. G. Briggs, | L. Kendrick,    | Snell,          |
| R. V. Briggs, | F. G. Kendrick, | Stannard,       |
| Cameron.      | Kingley,        | Stewart,        |
| B. Clark,     | Klein,          | Stockbridge,    |
| O. Clark,     | Lane,           | Swift,          |
| Crane,        | Lee,            | Vowles,         |
| Crossman,     | Lovell,         | Wagner,         |
| Curry,        | Mandigo,        | Walker,         |
| Davis,        | Mason,          | Walton,         |
| Doty,         | McCowen,        | Ward,           |
| Dusseau,      | McKernan,       | Weier,          |
| Eaton,        | Mead,           | Wendell,        |
| Eck,          | Miller,         | Westover,       |
| Elliott,      | Millington,     | White,          |
| Fenner,       | Mitchell,       | Wilcox,         |
| Fuller,       | Murray,         | H. G. Williams, |
| Gay,          | Newman,         | J. A. Williams, |
| Gifford,      | Norton,         | W. D. Williams, |
| Goodrich,     | Osborn,         | Woodard,        |
| Grant,        | Purcell,        | Yawkey,         |
| Holt,         | Riford,         | Speaker,        |
| Horton,       | Romeyn,         |                 |

86

## NAYS.

0

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to repeal act No. 430, of the session laws of 1867, approved March 25, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Ashley,   | Mr. Hunt,    | Mr. Seward,     |
| Avery,        | Hurlbut,     | Shaw,           |
| Barnaby,      | Huston,      | Sheldon,        |
| Baxter,       | Hutchinson,  | Shier,          |
| Beall,        | Ingersoll,   | Sickels,        |
| Blake,        | Jewell,      | Slayton,        |
| Bostwick,     | L. Kendrick, | Smith,          |
| G. G. Briggs, | Kingsley,    | Snell,          |
| R. V. Briggs, | Klein,       | Stannard,       |
| Cameron,      | Lane,        | Stewart,        |
| B. Clark,     | Lee,         | Stockbridge,    |
| O. Clark,     | Lovell,      | Swift,          |
| Crane,        | Mandigo,     | Vowles,         |
| Crossman,     | Mason,       | Wagner,         |
| Curry,        | McCowen,     | Walker,         |
| Davis,        | McKernan,    | Walton,         |
| Doty,         | Mead,        | Ward,           |
| Dusseau,      | Miller,      | Weier,          |
| Eaton,        | Millington,  | Wendell,        |
| Eck,          | Mitchell,    | Westover,       |
| Elliott,      | Murray,      | White,          |
| Fenner,       | Newman,      | Wilcox,         |
| Fuller,       | Norton,      | H. G. Williams, |
| Gay,          | Osborn,      | J. A. Williams, |
| Gifford,      | Putnam,      | W. D. Williams, |
| Goodrich,     | Riford,      | Woodard,        |
| Grant,        | Romeyn,      | Yawkey,         |
| Horton,       | Rowlson,     | Speaker,        |
| Hubbard,      |              |                 |

85

## NAYS.

0

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to change the name of Cornelia Elizabeth Harmon to Cornelia Elizabeth Brooks,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                |                 |
|---------------|----------------|-----------------|
| Mr. Ashley,   | Mr. Ingersoll, | Mr. Sheldon,    |
| Avery,        | Jewell,        | Shier,          |
| Barnaby,      | L. Kendrick,   | Sickels,        |
| Baxter,       | Kingalev,      | Slayton,        |
| Blake,        | Klein,         | Smith,          |
| Bostwick,     | Lane,          | Snell,          |
| G. G. Briggs, | Lee,           | Stannard,       |
| R. V. Briggs, | Lovell,        | Stewart,        |
| Cameron,      | Mandigo,       | Stockbridge,    |
| B. Clark,     | McCowan,       | Swift,          |
| O. Clark,     | McKernan,      | Thompeon,       |
| Crane,        | Mead,          | Vowles,         |
| Curry,        | Miller,        | Wagner,         |
| Doty,         | Millington,    | Walker,         |
| Dusseau,      | Mitchell,      | Walton,         |
| Eaton,        | Murray,        | Ward,           |
| Eck,          | Newman,        | Weier,          |
| Elliott,      | Norton,        | Wendell,        |
| Fenner,       | Osborn,        | Westover,       |
| Fuller,       | Purcell,       | White,          |
| Gay,          | Putnam,        | Wilcox,         |
| Gifford,      | Riford,        | H. G. Williams, |
| Grant,        | Riopelle,      | J. A. Williams, |
| Holt,         | Romeyn,        | W. D. Williams, |
| Horton,       | Rowison,       | Woodard,        |
| Hubbard,      | Seward,        | Yawkey,         |
| Hunt,         | Shaw,          | Speaker,        |
| Hutchinson,   |                |                 |

82

## NAYS.

0

Title agreed to.

House manuscript bill, entitled

A bill to change the name of Lemon Van Valkenburg to Lemon Baker, the name of Lucy Ann Van Valkenburg to Lucy Ann Baker, and the name of Albert Van Valkenburg to Albert Baker,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|             |           |             |
|-------------|-----------|-------------|
| Mr. Ashley, | Mr. Hunt, | Mr. Seward, |
| Avery,      | Hurlbut,  | Sheldon,    |

|               |              |                 |
|---------------|--------------|-----------------|
| Barnaby,      | Huston,      | Shier,          |
| Baxter,       | Hutchinson,  | Sickels,        |
| Blake,        | Ingersoll,   | Slayton,        |
| Bostwick,     | Jewell,      | Smith,          |
| R. V. Briggs, | L. Kendrick, | Snell,          |
| Cameron,      | Kingsley,    | Stannard,       |
| B. Clark,     | Klein,       | Stewart,        |
| O. Clark,     | Lane,        | Stockbridge,    |
| Crane,        | Lee,         | Swift,          |
| Crossman,     | Lovell,      | Thompson,       |
| Curry,        | Mandigo,     | Vowles,         |
| Davis,        | Mason,       | Wagner,         |
| Doty,         | McCowen,     | Walker,         |
| Dusean,       | McKernan,    | Walton,         |
| Eaton,        | Miller,      | Ward,           |
| Eck,          | Millington,  | Weier,          |
| Elliott,      | Mitchell,    | Wendell,        |
| Fenner,       | Murray,      | Westover,       |
| Fuller,       | Newman,      | White,          |
| Gay,          | Norton,      | Wilcox,         |
| Gifford,      | Osborn,      | H. G. Williams, |
| Goodrich,     | Purcell,     | J. A. Williams, |
| Grant,        | Putnam,      | W. D. Williams, |
| Holt,         | Riford,      | Woodard,        |
| Horton,       | Romeyn,      | Yawkey,         |
| Hubbard,      | Rowson,      | Speaker, 84     |
|               | NAYS.        | 0               |

Title agreed to.

On motion of Mr. Hutchinson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. L. Kendrick offered the following:

*Resolved*, That when the committee of this House, appointed for that purpose, shall visit the State Prison, they be instructed to inquire into, and report to this House at as early a day as practicable, the kind, extent and number of punishment: that have been inflicted upon the persons confined in said prison for the two years last past, and the result and effect of such punishment as near as may be;

Which was adopted.

Mr. H. G. Williams moved to discharge the committee of the whole from the further consideration of House bill No. 89, entitled

A bill to declare the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette;

Which motion prevailed.

On motion of Mr. H. G. Williams,

The bill was placed on the order of third reading.

Mr. Gifford moved to discharge the committee of the whole from the further consideration of House bill No. 74, entitled

A bill to incorporate the village of Plainwell;

Which motion prevailed.

On motion of Mr. Gifford,

The bill was recommitted to the the committee on banks and incorporations.

Mr. Ingersoll offered the following:

*Whereas*, Hon. Franklin L. Smith, late a member of this House, by virtue of a proper certificate of election and his oath of office, was in daily attendance and acted as such member;

*And whereas*, By the action of this House on the 18th inst., the seat of the said Franklin L. Smith was awarded to Philo Doty, on the recommendation and action of the committee on elections;

*And whereas*, Nothing in the report of said committee involves the said Smith in the alleged fraud by which he obtained the thirteen votes thrown out by the committee, which action gave to the contesting member a plurality of nine votes; therefore,

*Resolved*, That the committee on the judiciary be and are hereby instructed to inquire into the propriety of appropriating a sufficient sum of money out of the State treasury, for the relief of Franklin L. Smith, not to exceed three dollars a day during the attendance of said Smith as a member of this House, and that they report by bill or otherwise.

Mr. Crossman moved to amend the resolution by adding the following thereto: "Also as to the propriety of appropriating

a sum of money out of the State treasury, for the relief of Isaac A. Fancher, for similar reasons, and that they be instructed to report in like manner;"

Which was accepted.

Mr. Mead moved to amend the resolution, by striking out the words "the committee on the judiciary," and inserting, the words "the committee on ways and means;"

Which motion did not prevail.

The resolution was then adopted.

Mr. Stannard moved to discharge the committee of the whole from the further consideration of House bill No. 71, entitled

A bill to incorporate the village of Saranac;

Which motion prevailed.

On motion of Mr. Stannard,

The bill was placed on the order of third reading.

Mr. Fuller offered the following:

*Resolved*, That 200 copies of the communication of the Attorney General, in regard to the Grand Rapids and Indiana railroad company, be ordered printed for the use of the House;

Which was adopted.

Mr. Fuller offered the following:

*Resolved*, That the fireman of this House be and hereby is instructed to procure a sufficient quantity of lime, to be by him deposited in the proper place, to abate a nuisance which exists in a certain building upon the Capitol grounds, near the west gate;

Which was adopted.

Mr. Yawkey offered the following:

*Resolved*, That the Commissioner of the State Land Office is hereby requested to transmit to this House all information that he may have in his possession relative to the claim of Wellington R. Burt, the same being in reference to the issue of patents for certain lands;

Which was adopted.

Mr. Miles moved to take from the table House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

Which motion prevailed.

The question being upon concurring in the recommendation of the committee of the whole that the bill be recommitted to the committee on internal improvements, with instructions to amend the same so that it shall contain the following provisions:

1. For the issue of bonds by townships, villages and cities, in aid of railroads, in accordance with a vote of the people, as provided in the bill, not exceeding 10 per cent. of assessed value;

2. After aid shall have been determined upon by the towns and cities, provide for all the bonds being delivered to the Auditor General or State Treasurer, to be registered by him, and a record thereof kept, and delivered by him to the company entitled to the same, upon certificate of the Governor that the company has fully complied with all the conditions of the law entitling them to the bonds;

3. Make interest on all bonds issued payable on the first day of July, or other given time, at the office of the State Treasurer, and in case the same is not paid when due, the same to be certified by the State Treasurer to the board of supervisors of the proper county, who shall assess the same as part of the State tax upon the proper township or city, and the State Treasurer shall pay the same to the holders of coupons, &c.;

4. Bonds to be properly indorsed by the Auditor General, with a certificate of filing and delivery, in accordance with the facts—the time when and to whom delivered; his fees to be paid by the company receiving the bonds;

5. Also, so as to provide against townships, villages and cities which have heretofore, under special laws of this State, granted aid either by loan, gift or otherwise, to railroads, avail



ing themselves of the benefits of this act, to any amount which, with the amount so before granted, shall exceed the amount specified in the first section of the act;

6. To provide for a two-thirds vote of the electors voting on the subject

Pending which,

On motion of Mr. Miles,

The bill was recommitted to the committee on internal improvements.

Mr. Osborn moved to discharge the committee of the whole from the further consideration of House bill No. 75, entitled

A bill to repeal act No. 426, of the session laws of 1867, entitled "An act to incorporate the public schools of the village of Hudson," approved March 25, A. D. 1867;

Which motion prevailed.

On motion of Mr. Osborn,

The bill was recommitted to the committee on banks and incorporations.

Mr. Osborn asked and obtained leave to withdraw two petitions in possession of the House, in order that they may be passed to the Senate and accompany House bill No. 61, which has passed the House, and to which they refer.

Mr. G. G. Briggs moved to discharge the committee of the whole from the further consideration of Senate bill No. 34, entitled

A bill to create a soldiers' aid fund for disabled Michigan soldiers, sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States;

Which motion prevailed.

On motion of Mr. G. G. Briggs,

The bill was recommitted to the committee on military affairs.

Mr. Ingersoll moved that the House go into committee of the whole on the general order;

Which motion did not prevail.

On motion of Mr. Norton,  
The House took a recess until two o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Plimpton asked and obtained leave of absence for the members of the committee on insurance, for the afternoon.

GENERAL ORDER.

On motion of Mr. H. G. Williams,

The House went into committee of the whole, on the general order,

Mr. Wilcox in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 63, entitled

A bill making appropriation for the support of the State Agricultural College, to pay the expenses of the State Board of Agriculture, and for the erection of a new building for the State Agricultural College;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

ELLIOT R. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading.

On motion of Mr. Plimpton,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Thursday, February 18, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Weed.

Roll called: quorum present.

Absent without leave: Messrs. Ashley, Beall, Mason, Millington, Ward, White and Woodard.

Mr. Cameron asked and obtained leave of absence for Messrs. Ward, Mason, Ashley, Millington and Woodard, members of the committee on the Reform School, for the day.

Mr. Wilcox asked and obtained leave of absence for Mr. White, until Tuesday morning.

Mr. Stockbridge asked and obtained leave of absence for Messrs. Stockbridge, Shaw, Vowles, Norton and Wilcox, committee on the State Prison, from and after to-day, until Monday.

#### PRESENTATION OF PETITIONS.

By Mr. J. A. Williams: petition of N. P. Loveridge, D. L. Green, F. C. Etheridge and 30 others, members of the bar and county officers of Branch county, asking the passage of the bill creating the 15th judicial circuit.

Referred to the committee on the judiciary.

By Mr. O. Clark: petition of G. W. Trumbull, Orrin Thatcher and 50 others, for an amendment to the game laws.

Referred to the committee on State affairs.

By Mr. Bostwick: statement of J. H. McGowan, prosecuting attorney of Branch county, as to the criminal business of said county.

Referred to the committee on the judiciary.

By Mr. Beall: petition of Wm. H. Tripp, H. T. Sheppard, John More, and 100 other citizens of Branch and St. Joseph counties, asking for the clearing of the channel of Swan creek, in said counties.

Referred to the committee on drainage.

By Mr. Crane: petition of James Ferguson, Levi Eddy and

34 others, citizens of Riga, Lenawee county, asking for the repeal of the county drain law.

Referred to the committee on drainage.

By Mr. Holt: petition of Edward L. Craw, Thomas W. Ferry, Edward P. Ferry, Jared V. Harris and 27 others, citizens of Ottawa and Muskegon counties, praying for authority to build a dam across Norris creek, in Muskegon county.

Referred to the committee on internal improvements.

By Mr. Davis: remonstrance of John S. Fox, J. O. Goodsell and 57 others, voters of Kent county, against amending the charter of the city of Grand Rapids, so as to allow the aldermen of each ward to sit as members on the county board of supervisors;

Also: remonstrance of A. M. Ellsworth, H. M. Clark, John Wilson, Mark Remington, Jas. W. Norton, E. R. Craw, and 102 other voters of Kent county, for the same purpose;

Also: remonstrance of L. B. Lull, George W. Parker, C. R. Hine, John Giles, E. L. Irish, John P. Mills and 79 others, voters of Kent county, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Westover: remonstrance of J. E. Taylor and 143 others, against any portion of the township of Portsmouth being included within the corporate limits of Bay City.

Referred to the committee on banks and incorporations.

By Mr. Westover: petition of J. D. Lewis and 77 others, praying that the township of Portsmouth be granted authority to loan its credit to aid in the construction of a bridge across the Saginaw river.

Referred to the committee on local taxation.

By Mr. Brownell: petition of C. Rich, S. B. Gaskill, W. H. Jennings and 185 others, citizens of Lapeer, for a city charter.

Referred to the committee on banks and incorporations.

By Mr. Seward: petition of Lewis Storms, H. G. Mead and 18 others, asking the Legislature to pass a bill detaching certain territory from Niles township, Berrien county, and attaching the same to Bertrand township, in said county.

Referred to the committee on towns and counties.

By Mr. Hunt: remonstrance of L. M. Crane and 25 others, citizens of Eaton Rapids, against the organization of the township of Hamlin.

Referred to the committee on towns and counties.

By Mr. Davis: petition of J. B. Stone, Charles C. Eddy and 17 others, citizens of the village of Lisbon, asking for a village charter to said village.

Referred to the committee on banks and incorporations.

By Mr. Ingersoll: petition of A. Gould, J. B. Barnes, Gilbert R. Lyon, and 118 other citizens of Owosso city, asking for the passage of a law granting a State bounty to volunteers who enlisted in the Union army in 1861 and 1862.

Referred to the committee on military affairs.

By Mr. Beall: petition of Thomas Eberhard, for the equalization of State bounties to volunteers in the late war.

Referred to the committee on military affairs.

By Mr. Murray: remonstrance of John L. Clements and 78 others, citizens of Kent county, against amending the charter of the city of Grand Rapids, so as to allow the aldermen of each ward to sit as members of the board of supervisors.

Referred to the committee on banks and incorporations.

By Mr. Avery: petition of Joseph Wilcox and 52 others, citizens of the township of Pine, in the county of Montcalm, asking the repeal of act number 268, of the session laws of 1865, and for the establishment of a State road through the townships of Pine and Pierson, to some point on the Grand Rapids and Indiana railroad.

Referred to the committee on roads and bridges.

By Mr. Huston: petition of Michigan volunteers, relative to the misconstruction and miscalculation of the Quartermaster General, as to State bounties.

On motion of Mr. Huston,

The petition was referred to the committee on military affairs, and was ordered printed in the journal.

The following is the petition:

*To the Senate and House of Representatives of the State of Michigan:*

The undersigned, Michigan volunteers, respectfully represent that we enlisted as volunteers on or after the 5th of February, 1864, and were mustered from this State into the military service of the United States, and were credited to our respective towns and wards hereinafter set opposite our names, on the call of the President, made on the 1st day of February, 1864, for 500,000 men; that we so enlisted, upon the consideration and assurance that we should receive the \$100 State bounty provided for by the State bounty law, approved February 5, 1864; that those assurances were founded both upon the law, as published generally through the newspapers, at the time, and upon the proclamation of the Governor of this State, dated February 11, 1864, which proclamation, as far as relates to this bounty, is as follows:

"By the act of the extra session, approved February 5, 1864, both local and State bounties are authorized to be raised and paid.

"By virtue of sections 8 and 9 of that law, the Quartermaster General will pay, at such times and places as he may designate, a uniform State bounty of \$100 to each person below the rank of a commissioned officer, who may have enlisted after the said 5th day of February, instant, and been mustered into the military or naval service of the United States, and who shall be credited on the quota of this State, or any military district thereof, under any call made since January 1, 1864, provided that such person, if a resident of this State, has been credited to the township or ward in which he is enrolled, or actually resided at the time of his enlistment."

That there was nothing in any part of this proclamation to indicate that we were not to receive this State bounty; that, as we enlisted after the passage of said law, and were properly credited to the call made since the 1st of January, 1864, we believed then, as we now believe, that we were justly and lawfully entitled to said bounty.

That said call was in the following language:

"WASHINGTON, *February 1, 1864.*

"It is ordered that a draft for 500,000 men, to serve for three years, or during the war, be made on the 10th day of March next, for the military service of the United States, crediting and deducting therefrom so many as may have been enlisted or drafted into the service prior to the first day of March, and not heretofore credited.

"[Signed]

"ABRAHAM LINCOLN."

That upon application to the Quartermaster General of the State, we were refused this bounty, for the reason that our credits were not applied to the last two-fifths, or 200,000 of the above call; that we were held to the service, notwithstanding we had been deceived in the assurances of this bounty, and performed our part of the military contract which we had entered into; that many of us had large families at home to support, and this cash bounty in advance, which we intended to leave with our families, for their maintenance, was a large inducement to our enlistment. As, therefore, it is not denied, that we were credited to some part, at least, of the 500,000 of February 1, 1864, and as the whole of this call was made after the 1st of January, 1864, and is included in the language of the law, which is, "any call made since the 1st of January, 1864;" and as no degree of intelligence could have discovered that we were not to receive said bounty, there being no public announcement to lead us to suppose to the contrary, and as many of us were the first to enlist, at public meetings, raised for the express purpose of filling the quotas of our towns, under the said call of February 1, 1864, and by our very examples induced others to enlist after us, who themselves have received this bounty, and as the matter of dividing said quotas by the Quartermaster General, assigning us to one portion or another of said call, was arbitrary and unjust, we, therefore, submit and respectfully insist that, on these considerations, we are justly and legally entitled to said State bounty, and we therefore petition your Honorable body to adopt, by proper resolution, such a construction of this law as will enable

us who were truly credited to said call to receive our just bounty.

But your petitioners charge the Quartermaster General of this State with a grave error, in computing the last two-fifths of the said call of February 1, 1864, for 500,000 men, by which error most of your petitioners have been in another manner prevented from justly receiving said bounty. We charge the Quartermaster General that, instead of paying this bounty to the last two-fifths, or 200,000 of the whole quota under this 500,000 call, he paid it only to the *last two-fifths of the number of men required, after large credits at large had been made*, under the language of the call; that the whole quota of the State was 18,836, while the number of credits at large from this State was 6,274 or thereabouts, and that the number of men required from this State by the Provost Marshal General, and which was distributed by him to the several towns and wards, was only 12,562; that the only way of arriving at the last 200,000 of the whole 500,000 of that call, is to take the last two-fifths of the whole quota, and not to take two-fifths of a greatly reduced quota, after extensive credits at large had been made; that to illustrate this error, the whole quota of the village of Kalamazoo, under the 500,000 call, was 147, while the number of men required of the village of Kalamazoo under the reduced quota, and on which only the Quartermaster General reckoned this fraction, was only 93. Now, the last two-fifths of 147 is 59, whereas, he paid it to only 37 men, credited to that village as two-fifths of 93, the reduced quota. In other words, he paid the bounty to 37 men, the last two-fifths of 93, the reduced quota of Kalamazoo, when he should have paid it to 59 men, the last two-fifths of 147, the full quota under said call; thereby by miscalculation, depriving 22 men, credited to the village of Kalamazoo, of their just bounty, under his own construction of the law.

We respectfully represent to your Honorable body, and will show to you on an investigation, that in this manner and on this reduced quota, the Quartermaster General computed and



arbitrarily ascertained the persons to whom he paid this bounty in all the towns which were behind in their enlistments, and that a large number of Michigan volunteers, among whom were your petitioners, were for this reason unjustly and unlawfully deprived of their one hundred dollars; and while he was so exacting with us, he continued unlawfully to pay this bounty to several thousand men, credited to the subsequent call of March 14, 1864, for 200,000 men, who were not included in the law. That these credits at large were made according to the conditions of the call itself, and consisted of all general naval enlistments, drafted men, and enlistments of every kind which had accrued after the passage by Congress of the provost marshal bureau law, approved March 3, 1863, entitled "an act for enrolling and calling out the national forces, and for other purposes," by which a new era in recruiting through provost marshals was established, and the United States took the whole matter of enrolling, drafting and crediting of men from the States into its own hands. That an account of credits was not kept with towns and wards, till the 28th of September, 1863. That the 300,000 call of October 17, 1863, not being sufficient to meet the exigencies of the times, it was by the War Department rescinded, and a new call of February 1, 1864 for 500,000 men made, on which all former credits at large, of every kind, were to be applied, and that when the quota under the 500,000 call came to be reduced by these credits, and then distributed by the acting assistant provost marshal general to the several towns and wards, it was found to be not much larger than the quotas for the 300,000 call of October previous; that it was on these reduced quotas the Quartermaster General based his calculations as above described, as though they were the full quotas for the entire 500,000 call, and that he thereby committed great injustice to your petitioners, most of whom were actually credited by a correct calculation, to the last 200,000 of the 500,000 call of February 1, 1864, and therefore entitled to said bounty, even under his construction of the law.

Your petitioners further represent, that from the records of

the Quartermaster General's office, it appears that there are in all 315 men who, like themselves, have never received this bounty, and that practically it makes no great difference in numbers whether the misconstruction of the law or the miscalculation of the quotas by the Quartermaster General, is corrected.

That the act of "crediting" a man is an arbitrary act, and it is doubtful, at best, whether the Quartermaster General or the Provost-Marshal General have the arbitrary right to credit a man, to his detriment, against his wishes. That in numerous cases, many persons enlisted at the same time in the same town, as in the case of many of your petitioners, some of whom received this bounty, and some, like your petitioners, did not, by reason of the arbitrary act of crediting. That those who were the most patriotic in enlisting, did not receive it, while those who were the most reluctant, did. That had this matter been well understood, as the intention of the Legislature in passing the law it would have placed a discouragement to enlistments, and all would have waited for the quota to have been filled, as to that part that was to receive no State bounty.

Your petitioners respectfully submit that public policy requires a fair, uniform, plain construction of the law, and a just calculation of the full quota under the entire call; that deception, misconstruction and miscalculation find no proper place in the administration of the laws of the State, and that justice demands that we should receive our full rights, especially in the contracts which we entered into with the State, by which we imperiled our very lives in the defense of our country.

We therefore pray your Honorable body that you will cause, by resolution, such a construction of the State bounty law of February 5, 1864, as will do justice to your petitioners.

And we will ever pray, &c.

February 15, 1869.

Andrew J. Elsworth, 1st Mich. Cav., Kalamazoo.

Ira A. Wright, 1st Art., Algansee.

Edwin H. Chapin, 1st Cav., Kalamazoo.

John H. Smith, 1st Lt. Art., Kalamazoo.  
Theodore Parker, 10th Inf., Brockway.  
Hiram Strong, 10th Inf., Brockway.  
John Matherson, 10th Inf., Greenwood.  
James Talman, 12th Inf., Bertrand.  
Frederick Wellington, 10th Inf., Richville.  
Everett H. Dennis, 8th Inf., Waterloo.  
Robert Dingman, 3d Cav., Port Austin.  
Seymour Dye, 3d Cav., Hopkins.  
Frank Destross, 22d Inf., Ira.  
Thomas Davy, ——— Houghton.  
John Douglass, 22d Inf., Worth.  
Robert Ewing, 16th Inf., Novi.  
Jas. F. Fox 23d Inf., Aranac.  
John Fleming, 1st Lt. Art., Traverse.  
Henry Gill, 3d Cav., Port Austin.  
Jos. S. Booth, 3d Cav., Linden.  
Orin Greene, 22d Inf., Chesterfield.  
Stephen Gardner, 10th Cav., Lexington.  
Jacob Gapsis, 9th Inf., Odessa.  
Valdamm Gipson, 25th Inf., Hamburg.  
Cassius C. Judson, 1st Lieut. Art., Benzonia.  
Michael Lynch, 16th Inf., Houghton.  
Martin Lenord, 16th Inf., Birch Run.  
George Langley, 16th Inf., Ontonagon.  
Peter Marsseau, 22d Inf., Ira.  
Charles Marriah, 16th Inf., Detroit.  
Wm. Mann, 16th Inf., Houghton.  
Miles Munger, 8th Inf., Tittabawassee.  
John McFarish, 10th Inf., Forester.  
Geo. H. Morse, ——— Tuscola.  
Andrew J. Meyers, 5th Inf., Kent county.  
Joel Maxfield, 1st Lt. Art., Benzonia.  
Caleb H. Powell, 1st Lt. Art., Shiawassee.  
Alexander Russell, 22d Inf., Worth.  
John H. Rhodes, 16th Inf., Scio.

Dey Hicks, 6th H. Art., Lockport.  
Jas. F. Allen, 6th H. Art., Portage.  
Jas. G. Oaks, 6th H. Art., Lockport.  
James M. Smithley, 6th H. Art., Lockport.  
Jno. R. Conden, 6th H. Art., Lockport.  
John Sewin, 3d Cav., Linden.  
Wm. Scott, 16th Inf., Houghton.  
Wm. H. Sturgis, 1st S. S., Vassar.  
Geo. Douglass, 16th Inf., Bridgeport.  
Wm. Douglass, ———— Worth.  
Chas. H. Davis, 1st Lt. Art., Traverse.  
John Bobinaw, 1st Lt. Art., Frankfort.  
Jos. Greenwood, 1st Lt. Art., Frankfort.  
Edmund Bean, 1st Lt. Art., Frankfort.  
Geo. N. Carpenter, 5th Cav., Marathon.  
Lewis Champeign, 16th Inf., Detroit.  
George Bracy, 5th Inf., Muskegon.  
James Baxter, 9th Inf., Odessa.  
Ed. Bronillett, 16th Inf., Bridgeport.  
Jeremiah Bampart, 8th Inf., Coe.  
Jas. Avery, 3d Cav., Hopkins.  
John S. Nichols, 1st Lt. Art., Quincy.  
Adelbert Mudge, 1st Lt. Art., Coldwater.  
Antoine Dubey, 9th Cav., LaSalle.  
Diogenes Brink, 9th Inf., Williamstown.  
Anthony Grieshoper, 16th Inf., Northfield.  
John Lark, 5th Inf., Sebawaing.  
Jos. Pattridge, 6th H. Art., Weesaw.  
Peter Tack, 23d Inf., Bridgeport.  
Jos. Greenwood, 1st Lt. Art., Crystal Lake.  
Jno. Miller, 3d Cav., Port Austin.  
Geo. Dingman, 3d Cav., Port Austin.  
John Ghin,        "       "       "  
Chas. Pelkey,     "       "       "  
Hugh McPherson, 3d Cav., Port Austin.  
Thos. Kinne, 8th Inf., Davison.

Joel Maxfield, 1st Lt. Art., Benzonia.

Chas. H. Jones, 3d Cav., Arlington.

Bartlett Johnson, 9th Inf., Bennington.

Seventy-eight petitioners.

By Robinson & Brooks, their attorneys in fact.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal act 138, of the session laws of 1865, in reference to the county of Manitou being attached to the county of Leelanaw, for certain judicial purposes, approved March 10, 1865;

Also,

A bill to attach Manitou county to the thirteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary;

The committee on the judiciary, to whom was referred Senate bill No. 8, entitled

A bill to amend section 7, of chapter 19, and sections 15 and 17, of chapter 21, of the compiled laws, and to add two new sections to chapter 21,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

Joint resolution providing that the swamp land' grants for roads in the Upper Peninsula, may be used for constructing road beds for tram, train or railroads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to amend section 17 of an act entitled "an act to provide for the incorporation of railroad companies," approved Feb. 12, 1855,

Respectfully report that they have had said bill under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution requesting our Members of Congress to call

the attention of the Indian Department to the subject of vaccinating the Indians residing in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill for the laying out and constructing a certain State road in the county of Lapeer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to enable the highway commissioners to equalize the taxes on highways in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,  
The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section 17 of an act entitled "An act relating to laying highways," approved March 15, 1868,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to amend section 1 of an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and individuals, doing fire, marine, life and health insurance business, not incorporated by the State of Michigan, being act No. 248, of the session laws of 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. S. BOYNTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to amend an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

N. S. BOYNEON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stockbridge,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 29, of act No. 207, of the session laws of 1867, entitled "an act to incorporate the village of Dansville," approved March 9, 1867;

Also,

A bill to incorporate the village of Leslie,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 51, entitled

A bill to amend section 17 of an act entitled "an act relative to plank roads," approved March 13, 1846, being section 1868, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Elk, in the county of Huron,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ISAAC D. BEALL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on immigration:

The committee on immigration, to whom was referred sundry petitions for a law for the encouragement of immigration to the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying bill, entitled

A bill for the encouragement of immigration;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

ORLANDO NEWMAN, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 2, being

Joint resolution for the payment of the claim of William Beard and others,

Respectfully report that they have had the same under consideration, and say that inasmuch as the subject matter of this claim has elicited much discussion, and diverse views are entertained concerning it, and the amount involved is so large, your committee deem it their duty in presenting their recommendation concerning it, to give a summary of the grounds upon which the claim is founded, and the legislative action heretofore had thereon. The improvement, for the performance of which this claim is founded, was a most necessary one to a very large section of the State.

The Muskegon river is the largest river in the State, and a large proportion of the lands in the counties through which it runs, and along its tributaries, are covered with valuable pine timber, whose value is proportionate to the facilities offered for getting it to market. Without proper facilities, it would be comparatively valueless; with them it would prove a source of great wealth to the State, as well as to the inhabitants of that section.

The river had well-defined banks until within about ten miles of its mouth; it then spread out into innumerable small streams, over what is called the Muskegon sand-flats, being a section some six miles in length, and averaging some four or five miles in width. The larger channels changing their currents each year, making navigation, and the floating of logs and lumber, uncertain, dangerous, and often impossible, subjecting those engaged in navigating the river, and in lumbering enterprises to great expense and loss, and necessarily confining their operations to small limits. As that portion of the State had received no benefits from the internal improvement expenditures of the State, but must pay their share of the debt incurred therefor, and as the State owned 528,600 acres of valuable lands in the counties through which the river passes, a large portion of them covered with pine timber, and as the proper improvement of the river was too great an undertaking

for individual enterprise, in the then almost infancy of its settlement, it was deemed but just and right that the State should undertake the improvement, if there was any funds which could constitutionally and properly be appropriated for such object. With the view of ascertaining if any such funds remained in the treasury unexpended, the House of Representatives of 1857, January 16th, passed the following resolution, viz.:

*"Resolved, That the Auditor General be required to report to this House, respecting the 500,000 acres of internal improvement lands; giving a full and complete statement of the various appropriations heretofore made for internal improvements, together with the object of the grant, and amount of lands named in the several appropriations; also, the amount, if any, which has been appropriated for any work of internal improvements, and not expended, from the year 1848 to the year 1855, inclusive."*

The internal improvement lands referred to in the above resolution, were granted to the State by act of Congress, approved September 4th, 1841,—(Vol. 5, page 455, U. S. statutes at large.) Section 9 of which act says: "The lands herein granted to the States above named, shall not be disposed of at a less price than one dollar and twenty-five cents per acre, until otherwise authorized by a law of the United States; and the net proceeds of the sales of said lands shall be faithfully applied to objects of internal improvements, namely: roads, railways, bridges, canals, and improvement of water courses and draining of swamps," &c.

In response to the resolution, the Auditor General, on the 29th of January, transmitted to the House a statement, at length, by which it appeared that the State had located, under the act of Congress, aforesaid, 494,103 77-100 acres of land, and had appropriated thereof 408,861 70-100 acres, and that there remained unappropriated, 85,442 3-100 acres, which had been mostly sold by the State (House documents, 1857, No. 12.)

Subsequently, on the 12th day of February, Act No. 101, of

1857, was approved and became a law, which appropriated 500 acres of internal improvement lands, "for the improvement of Flat river."

Also, by act No. 147, approved Feb. 16, 1857, appropriated "fifty thousand dollars, to be paid from the internal improvement fund of this State," "for the improvement of navigation over the sand flats of the Muskegon river." Said act provided for the construction of "a good canal or channel, suitable for the purposes of navigation, and adapted for the navigation of steamboats across the said sand flats, so as to make a continuous and available navigation on said Muskegon river."

It also appointed three commissioners, who were *directed* to employ a competent engineer and other assistance, and make all necessary examination and surveys to ascertain and determine what works are required, to draw plans and specifications, advertise for six successive weeks, and let a contract to the lowest bidder, to be paid from the appropriation made by the act, which contract was not to "take effect until approved by the Governor, and his approval indorsed on said contract."

Section eight of said act says: "On the completion of said improvement and canal or channel across the said flats, and all other works connected with or necessary to the usefulness thereof, the said commissioners, after obtaining the approval of said work by the Governor, shall indorse the fact on the contract, after which said contractors shall be entitled to payment from the sum hereby appropriated, except the amount necessary to pay the expense of this commission; and the sufficiency of all said work shall be determined by said commissioners, and approved by the Governor."

Section 12 says: It shall be the duty of the State Treasurer, on the receipt or presentation of the said contract or contracts by the contractors, indorsed in pursuance of section eight, to pay to the holder or holders of such contracts, the several sums herein appropriated, out of any funds belonging to the internal improvement fund, not otherwise appropriated."

It appears that the commissioners appointed by said act,

Chauncey Davis, of Ottawa county, Amasa B. Watson and Isaac D. Merrill, of Newaygo county, proceeded, as your committee have reason to believe, in perfect good faith, in pursuance of the provisions of the act, selected a competent engineer, made a survey, plans, plats and specifications for a canal through a portion of said flats, and for other necessary works, such as closing up some of the channels and clearing the river of obstructions, &c. They then duly advertised, and let the contract to John A. Brooks, he being the lowest bidder, for \$50,000; he (Brooks) being then a member of the Legislature; there being only one other bid, which was for \$150,000. The contract was approved by the Governor, and his approval indorsed thereon, September 28th, 1857. Mr. Brooks, being unable to complete the work stipulated within the time mentioned in the said contract, the Legislature by act No. 26, of session laws of 1858, authorized an extension of the time for its completion, until "the first of January, 1860," making payment "for all of said work out of the sum by this act appropriated, *and no payment shall be made on account of said works, or any of them, until the said drainage and the canal or channel across the said flats, and all works connected with or necessary to the usefulness thereof, are completed to the satisfaction of the said commissioners and approved by the Governor, and in accordance with the terms of the contract to be made in pursuance of this act.*"

The Legislature of 1857 did also, by act No. 148, approved Feb. 16, appropriate "5,000 acres of internal improvement lands," "to aid in the improvement of a certain highway in the counties of Oakland, Genesee, Tuscola and Saginaw." Act No. 80, of 1859, authorized the Commissioner of the State Land Office to sell the lands selected under the provisions of the last aforesaid act, and provided that the proceeds be paid into the State treasury, and made it the duty of the Auditor General to draw his warrant upon the State Treasurer, in payment for labor done on said road.

It appears that the lands were selected, and part were sold

under the law for cash, and the proceeds were applied as provided in the act, No. 80, of 1859.

It also appears that, subsequent to the extension of time granted for the completion of the Muskegon improvement, by act No. 26, of 1858, Mr. Brooks duly assigned the contract to William Beard, of the city of Brooklyn, State of New York, who was wholly unaware of the constitutional inhibition of Mr. Brooks taking the contract, who advanced the necessary amount of money and completed the work to the satisfaction of the commissioners and the Governor, who, after a thorough personal inspection, duly certified, October 3d, 1860, the same as completed.

It further appears, from information obtained from reliable sources, that the said improvement was a necessary one, of great public benefit, and was most faithfully performed on the part of the contractor, as nearly ten years of use has fully demonstrated.

It also appears that, upon the presentation of the contract duly certified, to the State Treasurer, payment was refused, upon the ground of no money in the fund. The matter thus became a subject for legislative action, and was first presented to the Senate in 1861, and was referred to the judiciary committee, then composed of men, some of whom were among the best legal minds of the State. Their report shows, that they gave the subject a sifting investigation.

They declared the contract void, but insisted that honesty and good faith required its payment in money, and introduced joint resolutions to that effect, recommending that they do pass. Subsequently the money clause of the resolutions was changed, and swamp lands inserted, and in that form they passed both Houses and became a law. Mr. Beard refused to accept the lands. The subject again came before the Legislature in 1865, when Governor Crapo sent to the Legislature a special message, strongly recommending the payment of the claim.

After reciting the general facts of the case, he says: "It is clear that the act of 1857 contemplated that the internal im-

provement fund was not exhausted, and in fact, the Auditor General reported to the House of Representatives a few days before the passage of the law, that the proceeds of about 90,000 acres of internal improvement lands remained unappropriated.

"This report was evidently an error of fact, and is shown to have been such by a report of the Auditor General in 1861, and the joint resolution of the same year. If, then, the error was made by the Legislature, as it clearly was, of appropriating money from a particular fund that had been permanently exhausted, the burthen resulting from such an error should, in justice, rest upon the party who committed it, and not upon the individual who, in good faith, had expended his money and performed the work, relying upon such legislative action for payment. He certainly had an undoubted right to presume that the particular fund was ample to meet the appropriation." He adds: "Whatever technical or legal objections may have existed in the earlier history of the claim, to prevent the State from recognizing the contract with John A. Brooks, and from making payment under it, it would certainly seem that on no sound principle can the State now refuse provision for its payment, standing, as I believe it does, fully acknowledged and recognized against the State, through the action of the Legislature and the Board of State Auditors, as a just and valid one. The honor and credit of the State is, to a certain extent, involved in this matter, and however unexpected or unpleasant it may now be to have this claim forced upon us, yet I can see no other mode of exonerating the State than that of its payment."

The committee on claims, in the Senate, and the committee of ways and means, to whom the subject was referred, both unanimously recommended the claim as a valid and just one, which it was the duty of the State to pay, and joint resolutions were passed providing for its payment by tolls from the work. This act proving defective, the Legislature of 1867 passed another bill of like tenor, providing for tolls.

The Supreme Court, however, perpetually enjoined the com-



missioner from collecting the tolls, substantially on the ground that the State could not pay its debts by levying tolls on the commerce of a locality. Thus the question of providing means of payment again comes before the Legislature for adjustment.

It seems that every committee to whom this matter has been referred, have unanimously recommended it as a just and equitable claim. The Legislature of 1861, 1865 and 1867 sustained it by large majorities in each House. It has been duly audited and allowed by board of auditors under the act of 1865. Having thus received all these legislative sanctions, it appears to your committee that its equity and validity cannot now be questioned, and, indeed, it seems to be admitted on all hands, and this point being admitted, it then becomes the plain duty of the State to meet the question squarely, and provide some mode of payment which shall not prove delusive, as others have done. How can this be done? What means are within the reach of the Legislature, which can be constitutionally applied to the liquidation of this claim? is the question for us to answer. It appears clear to your committee that the five per cent. proceeds of the sales of the public lands paid to the State under the provisions of the act of Congress admitting this State into the Union, approved June 25th, 1836, may properly be applied for this object.

That act provides as follows:

"That five per cent. of the net proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, 1836, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within the said State, as the Legislature may direct."

The moneys coming into the State treasury under the provisions of the above mentioned act, are a trust fund, which it is the imperative duty of the Legislature to appropriate to just such objects as was this Muskegon river improvement. Here there is a mode of payment by the use of funds which the constitution of the State clearly permits to be applied for such

purpose. The joint resolution contemplates the application of such proceeds only as shall hereafter come into the treasury.

Believing the claim stripped of all technicalities and subterfuges a just and equitable one,—one which it is the plain duty of the State to pay, and that the funds proposed to be applied to this object, can be so applied constitutionally and properly, your committee have instructed me to report back the joint resolution, with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred sundry petitions and memorials for the repeal, and for the amendment and re-compilation of the county drainage laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to repeal act No. 216, of the laws of 1861, entitled "an act to provide for the draining of swamps, marshes, and other low lands," approved March 15, 1861, and the act amendatory thereto, viz: act No. 240, of the laws of 1865, and to pass a single act in their place, to provide for the drainage of marshes and other low lands;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. A. BROWNELL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Baxter,

Two hundred extra copies of the bill were ordered printed for the use of the House.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of Timothy McDowell, P. M., and other resident voters of the township of Casco, in the county of Allegan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to change the name of the township of Casco, in the county of Allegan, to Baldwin;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Ingersoll,

The rules were suspended, and the bill was placed on the order of third reading.

The petition was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the common council of the city of Lansing to assess, and the treasurer to collect, the tax to defray the expense of grading Cedar street,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the assessment and collection of a tax to defray the expense of grading Cedar street, in the city of Lansing;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 60, entitled

A bill to re-incorporate the village of Schoolcraft,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 17, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 66, entitled

A bill relative to free schools in the city of Detroit;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Romeyn,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 17, 1869. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 10, entitled

A bill to amend section 5646 of the compiled laws, being section 10, of chapter 150, of the revised statutes of 1846, relative to the fees of witnesses,

Which the House amended,

1st. By striking out the words "seventy-five cents," and inserting the words "one dollar" in lieu thereof; also, by striking out the words "thirty-seven and a half cents," and inserting the words "fifty cents" in lieu thereof, in the fourth line of recited section ten;

2d. By striking out all after the word "witness," in the seventh line of recited section ten, to and including the word "State," in the eighth line, and inserting the following in lieu thereof: "if within this State, or from the boundary line of this State, which such witness would pass in coming, if his residence be out of the State;"

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House insist on its amendments;  
Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 62, entitled

A bill to incorporate the village of Orion;

2. Senate bill No. 70, entitled

A bill to provide for the payment of the salaries of the State officers for the years 1869 and 1870;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 69, entitled

A bill to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds and wild fowl;

2. Senate bill No. 59, entitled

A bill to amend section 59, of chapter 90, of the revised statutes of 1846, being section 3513, of the compiled laws, relative to the powers, limits and jurisdiction of circuit courts;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR— I am instructed to return to the House the following bills:

1. House bill No. 22, entitled

A bill appropriating certain non-resident highway taxes for the improvement of certain roads in the county of Gratiot;

2. House bill No. 50, entitled

A bill to amend sections 1, 7 and 26, of "An act to revise the charter of the village of Hastings," approved March 22, 1867;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Jackson, for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

NOTICES.

Mr. Baxter gave notice that on some future day he would ask leave to introduce

A bill making appropriations for the State normal school;

Also,

A bill to incorporate the city of Tecumseh.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to reorganize the township of Caledonia, in the county of Shiawassee;

Also,

Joint resolution to authorize the Governor to convey certain State lands to Henry A. Shaw, of Eaton county, as the grantee of D. S. Spencer.

Mr. Riford gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 17, 1834, and the acts amendatory thereto;

Also,

A bill to define certain offenses affecting railroads, and to provide punishment for the same.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the county of Houghton, and organize the same into the county of L'Anse;

Also,

A bill to tax foreign corporations doing business in this State;

Also,

A bill to organize the township of Barago, in Houghton county;

Also,

A bill to organize the township of Ashbury, in Houghton county.

Mr. Romeyn gave notice that on some future day he would ask leave to introduce



A bill to extend the right of trial by jury, to test the validity of assessment rolls in certain cases;

Also,

A bill to define the rights of holders of real estate in certain cases.

Mr. Boynton gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road in Alcona county, and appropriate certain non-resident highway taxes for constructing the same.

Mr. J. A. Williams gave notice that on some future day he would ask leave to introduce

A bill to repeal an act creating the office of county superintendent of primary schools, and creating instead thereof township superintendents of primary schools.

Mr. Cameron gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Kalamazoo.

Mr. Jewell gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Hudson.

Mr. Kingsley gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 138, of the session laws of 1867, by adding one new section thereto.

Mr. Sheldon gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 205, session laws of A. D. 1865, entitled an act to provide a tax upon dogs, approved March 16, 1865.

Mr. G. G. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section 535 of the compiled laws, relating to the canvass of votes in townships.

Mr. Westover gave notice that on some future day he would ask leave to introduce

A bill to authorize the village of Portsmouth to vote aid to build a bridge across Saginaw river.

INTRODUCTION OF BILLS.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax rolls of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Stewart, previous notice having been given, and leave being granted, introduced

A bill to amend section 29, of chapter 179, of the revised statutes of 1857, being section 5507 of the compiled laws, relative to the payment of debts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. H. G. Williams, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to establish a judicial circuit in the Upper Peninsula," approved March 19, 1863, by adding a new section, requiring the judge of said circuit to be a resident thereof.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mitchell, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp land, by means of a State road and ditches from Ludington, in Mason county, to the east line of said county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Fenner, previous notice having been given, and leave being granted, introduced

A bill appropriating swamp lands to aid in cutting drains

from a point on Elk Creek, in the county of Sanilac, to a point on the Lexington and Lapeer State road, in the same county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Thompson, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 68 of the compiled laws, in reference to religious societies, by adding six new sections.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Blake, previous notice having been given, and leave being granted, introduced

A bill to amend sections 4 and 7 of an act entitled an act to authorize the township of Holland, and other townships in the county of Ottawa and Allegan, to make loans and levy taxes for the improvement of the harbor at the mouth of the North Black river, in Ottawa county, approved March 2d, 1858.

The bill was read a first and second time by its title, and referred to the committee on harbors.

M. Seward, unanimous consent being given, introduced

A bill to repeal act number 227, of the session laws of 1863, being an act to amend sections 1, 2, 4, 5, 6 and 9, chapter 139, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355, 5358 of the compiled laws, touching the limitation of actions relating to real property.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, unanimous consent being given, introduced

A bill to amend section 8 of an act entitled "An act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved Feb. 14, 1853, being section 789 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Osborn, previous notice having been given, and leave being granted, introduced

A bill to amend section 4942 of the compiled laws, as the same stands amended by act approved March 11, A. D. 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, unanimous consent being given, introduced

A bill authorizing the building of a dam across Norris creek, in Muskegon county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Holt, unanimous consent being given, introduced

A bill to change the name of the village of Crawville, in the county of Muskegon, to Fruitport.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Grant, previous notice having been given, and leave being granted, introduced

A bill to regulate the use of district school houses for religious services.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to authorize the common council of the village of Lowell, in the county of Kent, to cause a re-survey and replatting of said village to be made and recorded, and to assess and collect the necessary expenses therefor.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to amend an act to incorporate the village of Lowell, approved March 15, 1861, as amended by act No. 169, of the session laws of 1865, approved March 14, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Davis, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Lisbon, in Kent and Ottawa counties.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Wendell, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road, to be known as the Cheboygan River and Little Traverse Bay State road, and appropriating certain swamp lands for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Wendell, previous notice having been given, and leave being granted, introduced

A bill appropriating State swamp land for the construction of a State road from Cheboygan river to Old Mackinaw.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Huston, previous notice having been given, introduced  
Joint resolution for the relief of Mason Sampson.

The joint resolution was read a first and second time by its title, and

On motion of Mr. Huston,

The rules were suspended, and the joint resolution was placed on the order of third reading:

Mr. Blake, previous notice having been given, and leave being granted, introduced

A bill to amend and revise an act entitled "an act to incorporate the city of Holland," approved March 25, 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Holt, unanimous consent being given, moved to discharge the committee of the whole from the further consideration of Senate joint resolution No. 5, entitled

Joint resolution to provide for applying the surplus funds in the State treasury in payment of the interest bearing bonds of the State;

Which motion prevailed.

On motion of Mr. Holt,

The joint resolution was placed on the order of third reading.

### THIRD READING OF BILLS.

House bill No. 89, entitled

A bill to define the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. H. G. Williams moved to amend by inserting in line 1 of section 3, after the word "all," the word "school;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Avery,    | Mr. Hubbard, | Mr. Sanford, |
| Barnaby,      | Hurlbut,     | Seward,      |
| Baxter,       | Huston,      | Shaw,        |
| Beall,        | Hutchinson,  | Sheldon,     |
| Bostwick,     | Ingersoll,   | Shier,       |
| Boynton,      | Jewell,      | Sickels,     |
| G. G. Briggs, | L. Kendrick, | Slayton,     |
| R. V. Briggs, | Kingsley,    | Smith,       |
| Brownell,     | Klein,       | Snell,       |
| Cameron,      | Lane,        | Stannard,    |
| B. Clark,     | Lee,         | Stewart,     |
| O. Clark,     | Lovell,      | Stockbridge, |
| Cogshall,     | Mandigo,     | Swift,       |
| Crane,        | McCowen,     | Ternes,      |
| Crossman,     | McKernan,    | Thompson,    |
| Curry,        | Mead,        | Vowles,      |
| Davis,        | Miles,       | Wagner,      |
| Doty,         | Miller,      | Walker,      |
| Dusseau,      | Mitchell,    | Walton,      |
| Eaton,        | Murray,      | Weier,       |
| Eck,          | Newman,      | Wendell,     |
| Fuller,       | Norton,      | Westover,    |
| Gay,          | Purcell,     | Wilcox,      |

|          |           |                 |    |
|----------|-----------|-----------------|----|
| Gifford, | Putnam,   | H. G. Williams, |    |
| Grant,   | Riford,   | J. A. Williams, |    |
| Harris,  | Riopelle, | Woodard,        |    |
| Holt,    | Romeyn,   | Yawkey,         |    |
| Horton,  | Rowlson,  | Speaker,        | 84 |
|          | NAYS.     |                 | 0  |

Title agreed to.

On motion of Mr. H. G. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 71, entitled

A bill to incorporate the village of Saranac, in Ionia county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Avery,    | Mr. Hubbard, | Mr. Rowlson,    |
| Barnaby,      | Hunt,        | Sanford,        |
| Baxter,       | Hurlbut,     | Seward,         |
| Beall,        | Huston,      | Shaw,           |
| Bostwick,     | Hutchinson,  | Sheldon,        |
| Boynton,      | Ingersoll,   | Shier,          |
| G. G. Briggs, | Jewell,      | Sickels,        |
| R. V. Briggs, | L. Kendrick, | Slayton,        |
| Brownell,     | Kingsley,    | Smith,          |
| Cameron,      | Klein,       | Snell,          |
| B. Clark,     | Lane,        | Stannard,       |
| O. Clark,     | Lee,         | Stewart,        |
| Cogahall,     | Lovell,      | Swift,          |
| Crane,        | Mandigo,     | Ternes,         |
| Crossman,     | McCowen,     | Thompson,       |
| Curry,        | McKernan,    | Vowles,         |
| Davis,        | Mead,        | Wagner,         |
| Doty,         | Miles,       | Walker,         |
| Dusseau,      | Miller,      | Walton,         |
| Eaton,        | Mitchell,    | Weier,          |
| Eck,          | Murray,      | Wendell         |
| Elliott,      | Newman,      | Westover,       |
| Fenner,       | Norton,      | Wilcox,         |
| Fuller,       | Plimpton,    | H. G. Williams, |
| Gay,          | Purcell,     | J. A. Williams, |
| Gifford,      | Putnam,      | W. D. Williams, |
| Harris,       | Riford,      | Yawkey,         |
| Holt,         | Riopelle,    | Speaker,        |
| Horton,       | Romeyn,      |                 |

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 63, entitled

A bill making appropriation for the support of the State Agricultural College, to pay the expenses of the State Board of Agriculture, and for the erection of a new building for the State Agricultural College,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Holt moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The Clerk proceeded to call the roll of the House, when,

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with.

Mr. Cogehall moved that the bill be laid on the table;

The motion did not prevail.

Mr. Slayton moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The Clerk called the roll of the House, and the following members were reported as absent without leave:

Messrs. Blake, Fenner, F. G. Kendrick and Osborn.

Mr. Ingersoll moved that the Sergeant-at-Arms be dispatched after the absentees;

Which motion prevailed.

The Sergeant-at-Arms announced Mr. Blake at the bar of the House.

On motion of Mr. Sanford,

Mr. Blake was admitted within the bar of the House, rendered an excuse, and took his seat.

On motion of Mr. Brownell,



All further proceedings under the call were dispensed with.

The question recurring on the passage of the bill,

Mr. Baxter demanded the previous question.

The demand was seconded, and the main question ordered;

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Avery,    | Mr. Holt,   | Mr. Riford,     |
| Baxter,       | Hunt,       | Rowlson,        |
| Blake,        | Hurlbut,    | Sanford,        |
| Bostwick,     | Huston,     | Sickels,        |
| Boynton,      | Hutchinson, | Slayton,        |
| R. V. Briggs, | Ingersoll,  | Smith,          |
| Cameron,      | Kingsley,   | Snell,          |
| B. Clark,     | Lane,       | Stannard,       |
| Crossman,     | Lee,        | Stockbridge,    |
| Curry,        | Lovell,     | Swift,          |
| Davis,        | Mandigo,    | Thompson,       |
| Doty,         | McCowen,    | Wagner,         |
| Eck,          | McKernan,   | Walker,         |
| Fuller,       | Murray,     | Weier,          |
| Gay,          | Norton,     | W. D. Williams, |
| Gifford,      | Plimpton,   | Yawkey,         |
| Grant,        | Putnam,     | Speaker, 51     |

## NAYS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Barnaby,  | Mr. Hubbard, | Mr. Seward,     |
| Beall,        | Jewell,      | Shaw,           |
| G. G. Briggs, | L. Kendrick, | Sheldon,        |
| Brownell,     | Klein,       | Shier,          |
| O. Clark,     | Mead,        | Stewart,        |
| Cogshall,     | Miles,       | Ternes,         |
| Crane,        | Miller,      | Vowles,         |
| Dusseau,      | Mitchell,    | Walton,         |
| Eaton,        | Newman,      | Wendell,        |
| Elliott,      | Osborn,      | Westover,       |
| Goodrich,     | Purcell,     | Wilcox,         |
| Harris,       | Riopelle,    | H. G. Williams, |
| Horton,       | Romeyn,      | J. A. Williams, |

39

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Cameron moved to reconsider the vote by which the bill was passed.

Mr. Ingersoll moved to lay the motion to reconsider on the table;

Which motion prevailed.

Senate joint resolution No. 5, entitled

Joint resolution to provide for applying the surplus funds in the State Treasury, in payment of the interest bearing bonds of the State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Avery,    | Mr. Hubbard, | Mr. Rowson,     |
| Barnaby,      | Hunt,        | Sanford,        |
| Baxter,       | Hurlbnt,     | Seward,         |
| Beall,        | Huston,      | Shaw,           |
| Blake,        | Hutchinson,  | Sheldon,        |
| Bostwick,     | Ingersoll,   | Shier,          |
| Boynton,      | Jewell,      | Sickels,        |
| G. G. Briggs, | L. Kendrick, | Slayton,        |
| R. V. Briggs, | Kingsaley,   | Smith,          |
| Brownell,     | Klein,       | Snell,          |
| Cameron,      | Lane,        | Stannard,       |
| B. Clark,     | Lee,         | Stewart,        |
| O. Clark,     | Mandigo,     | Stockbridge,    |
| Cogshall,     | McCowen,     | Swift,          |
| Crane,        | McKernan,    | Tarnes,         |
| Crossman,     | Mead,        | Thompson,       |
| Doty,         | Miller,      | Vowles,         |
| Dusseau,      | Mitchell,    | Wagner,         |
| Eaton,        | Murray,      | Walker,         |
| Eck,          | Newman,      | Walton,         |
| Elliott,      | Norton,      | Weier,          |
| Fuller,       | Osborn,      | Wendell,        |
| Gay,          | Plimpton,    | Westover,       |
| Gifford,      | Purcell,     | Wilcox,         |
| Goodrich,     | Putnam,      | H. G. Williams, |
| Grant,        | Riford,      | J. A. Williams, |
| Harris,       | Riopelle,    | W. D. Williams, |
| Holt,         | Romeyn,      | Speaker,        |
| Horton,       |              |                 |

85

#### NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Holt,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

House manuscript joint resolution, entitled

Joint resolution for the relief of Mason Samson,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |              |                 |
|---------------|--------------|-----------------|
| Mr. Avery,    | Mr. Hunt,    | Mr. Riford,     |
| Barnaby,      | Hurlbut,     | Riopelle,       |
| Baxter,       | Huston,      | Romeyn,         |
| Beall,        | Hutchinson,  | Rowlson,        |
| Bostwick,     | Ingersoll,   | Seward,         |
| Boynnton,     | L. Kendrick, | Shaw,           |
| R. V. Briggs, | Kingsley,    | Sheldon,        |
| Cameron,      | Klein,       | Shier,          |
| B. Clark,     | Lane,        | Sickels,        |
| O. Clark,     | Lee,         | Slayton,        |
| Cogshall,     | Lovell,      | Snell,          |
| Crane,        | Mandigo,     | Stannard,       |
| Crossman,     | Mason,       | Stockbridge,    |
| Curry,        | McCowen,     | Ternea,         |
| Davis,        | McKernan,    | Thompson,       |
| Doty,         | Miller,      | Vowles,         |
| Dusseau,      | Millington,  | Walker,         |
| Eaton,        | Mitchell,    | Walton,         |
| Eck,          | Murray,      | Weier,          |
| Elliott,      | Newman,      | Wendell,        |
| Fuller,       | Norton,      | Westover,       |
| Gay,          | Osborn,      | H. G. Williams, |
| Goodrich,     | Plimpton,    | W. D. Williams, |
| Grant,        | Purcell,     | Speaker,        |
| Harris,       | Putnam,      |                 |

74

#### NAYS.

|             |           |            |   |
|-------------|-----------|------------|---|
| Mr. Horton, | Mr. Mead, | Mr. Smith, | 8 |
|-------------|-----------|------------|---|

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to change the name of the township of Casco, in the county of Allegan, to Baldwin,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Ingersoll,

The bill was laid on the table.

Senate bill No. 66, entitled

A bill relative to the free schools in the city of Detroit,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Purcell moved to amend by striking out the words "be less than," in line 3, of section 12, and inserting the word "exceed," in lieu thereof.

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |              |              |
|---------------|--------------|--------------|
| Mr. Avery,    | Mr. Hurlbut, | Mr. Sanford, |
| Barnaby,      | Huston,      | Seward,      |
| Baxter,       | Hutchinson,  | Shaw,        |
| Beall,        | Ingersoll,   | Sheldon,     |
| Blake,        | Jewell,      | Sickels,     |
| Boynton,      | L. Kendrick, | Slayton,     |
| G. G. Briggs, | Kingsley,    | Smith,       |
| Brownell,     | Klein,       | Snell,       |
| Cameron,      | Lane,        | Stannard,    |
| B. Clark,     | Lee,         | Stewart,     |
| O. Clark,     | Lovell,      | Stockbridge, |
| Cogshall,     | Mandigo,     | Swift,       |
| Crane,        | Mason,       | Ternes,      |
| Crossman,     | McKernan,    | Thompson,    |
| Davis,        | Mead,        | Vowles,      |
| Doty,         | Miles,       | Wagner,      |
| Dusseau,      | Miller,      | Walker,      |
| Eck,          | Millington,  | Walton,      |
| Elliott,      | Mitchell,    | Ward,        |
| Fuller,       | Murray,      | Weier,       |
| Gay,          | Newman,      | Wendell,     |

|           |           |                 |    |
|-----------|-----------|-----------------|----|
| Gifford,  | Norton,   | Wilcox,         |    |
| Goodrich, | Plimpton, | H. G. Williams, |    |
| Grant,    | Purcell,  | J. A. Williams, |    |
| Harris,   | Putnam,   | W. D. Williams, |    |
| Horton,   | Riford,   | Woodard,        |    |
| Hubbard,  | Riopelle, | Yawkey,         |    |
| Hunt,     | Romeyn,   | Speaker,        | 84 |
|           | NAYS.     |                 | 0  |

Title agreed to.

On motion of Mr. Romeyn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Sanford, by unanimous consent, moved that House bill No. 12, entitled

A bill to amend an act entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston, to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by act of the Legislature, approved March 21st, 1865,

Be made the special order for this afternoon, at half-past two o'clock;

Which motion prevailed.

On motion of Mr. G. G. Briggs,

The House took a recess until half-past two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. R. V. Briggs asked and obtained leave of absence for Mr. Turnes, until Monday morning.

## SPECIAL ORDER.

On motion of Mr. Sanford,

The House went into committee of the whole, on the special order,

Mr. Riford in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to amend an act entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by act of the Legislature, approved March 21st, 1865;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

ALMOND B. RIFORD, *Chairman.*

Report accepted and committee discharged.

Mr. Sanford moved that the House concur in the amendments made to the bill by the committee, and that the bill be placed on the order of third reading.

Mr. Horton demanded the yeas and nays;

The demand was not seconded.

The motion of Mr. Sanford then prevailed.

Mr. Ingersoll offered the following:

*Resolved*, That so much of rule 43, as requires that at least one day's previous notice shall be given of the introduction of bills and joint resolutions, be and is hereby suspended for the remainder of the session;

Which was adopted.

Mr. Westover, from the special committee of three, appointed to consider the invitations tendered to the House to visit the

cities of Flint, Saginaw, Bay City and East Saginaw, reported the following time table, which it is proposed to follow in the contemplated excursion:

|                         |           |                |      |            |
|-------------------------|-----------|----------------|------|------------|
| Leave Lansing,          | Thursday, | February 25th, | at   | 8:30 A. M. |
| Arrive at Saginaw City, | "         | "              | "    | 11:00 "    |
| Leave                   | "         | "              | "    | 11:45 "    |
| Arrive at Wenona,       | "         | "              | "    | 1:30 P. M. |
| Leave Bay City,         | "         | "              | "    | 2:00 "     |
| Arrive at Midland,      | "         | "              | "    | 3:30 "     |
| Leave                   | "         | "              | "    | 4:00 "     |
| Arrive at East Saginaw, | "         | "              | "    | 5:00 "     |
| Leave                   | "         | Friday,        | 26th | 8:00 A. M. |
| Arrive at Flint,        | "         | "              | "    | 9:15 "     |

Dinner at the Asylum.

Supper at the Irving House.

|                  |           |               |    |            |
|------------------|-----------|---------------|----|------------|
| Leave Flint,     | Saturday, | February 27th | at | 8:40 A. M. |
| Arrive at Holly, | "         | "             | "  | 9:25 "     |
| Leave Holly,     | "         | "             | "  | 9:35 "     |
| Arrive at Owosso | "         | "             | "  | 10:50 "    |
| " at Lansing,    | "         | "             | "  | 12:00 M.   |

On motion of Mr. Gay,

The report was accepted and adopted.

Mr. Ward, unanimous consent being given, introduced

A bill to authorize the Auditor General to issue a new tax deed in place of one lost.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hutchinson offered the following:

*Whereas*, It is claimed by various manufacturers of woolen cloths in this State, that the supplies of cloth for the use of the penitentiary in this State is so conducted, as to deprive them of a fair competition for supplying the same; therefore

*Resolved*, That the contracting agent for said prison be hereafter requested to give public notice for three successive weeks in some newspaper published in the city of Jackson, fixing therein the description and quantity of cloth required by said

prison, and the time for receiving sealed proposals for the supply of the same, and that the contract for furnishing said goods be awarded to the lowest responsible bidder;

Which was not adopted.

Mr. Thompson offered the following resolution:

*Resolved*, That the President of the Michigan State Agricultural Society be and he is hereby requested to transmit to this House, a copy of the reports furnished the President of the Senate, required under section 1682, of the compiled laws, for the past ten years;

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. Swift,

The House went into committee of the whole, on the general order,

Mr. Baxter in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 72, entitled

A bill to incorporate the city of Corunna;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. House bill No. 36, entitled

A bill to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and for the recorder's or municipal court of the city of Detroit;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

B. L. BAXTER, *Chairman*.



On motion of Mr. Ingersoll,

The House concurred in the amendments made to the first named bill, and the bill was placed on the order of third reading.

On motion of Mr. G. G. Briggs,

Leave was granted the committee to sit again on the second named bill.

On motion of Mr. Romeyn,

The House adjourned until to-morrow morning at 9 o'clock.

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*Lansing, Friday, February 19, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Jocelyn.

Roll called: quorum present.

Mr. Barnaby asked and obtained leave of absence for himself, for an indefinite time, on account of sickness in his family.

Mr. Jewell asked and obtained leave of absence for himself, until Wednesday morning.

Mr. Ashley asked and obtained leave of absence for himself, until Tuesday morning.

Mr. Sickels asked and obtained leave of absence for himself, until Tuesday morning, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. G. G. Briggs: petition of H. B. Adams, I. S. Barber and 70 others, citizens of Coldwater, asking for the passage of a law to protect the citizens of the Commonwealth of Michigan from injury by incompetent dental practitioners.

Referred to the committee on State affairs.

By Mr. McKernan: memorial of O. J. Foote and 48 others, citizens of Houghton county, asking the organization of the townships of Barago and Ashbury, in said county; also the organization of the county of L'Anse, from a part of the territory of Houghton county.

Referred to the committee on towns and counties.

By Mr. McKernan: petition of Messrs. Kirby, Carpenter & Co., and 8 others, citizens of Menominee county, asking that a law be passed to tax the property of manufacturing companies the same as other property.

Referred to the committee on manufactures.

By Mr. McKernan: petition of A. B. Wood, agent for Resolute, Mandan and Michigan Mining Companies, in Sibley township, George Baily, township clerk of Sibley township, and 14 others, citizens of said township, county of Keweenaw, praying that the tax roll of said township be legalized, and the time for the collection of taxes therein;

Also: petition of the county officers, Hon. Jerome Crawford and 17 others, citizens of Keweenaw county, for the same purpose.

Referred to the committee on local taxation.

By Mr. Plimpton: petition of H. B. Shank, Geo. H. Cole, F. M. Cowles and 40 others, citizens of Lansing, for the establishment of a Dental College, and to protect Dental Surgery in the State of Michigan.

Referred to the committee on State affairs.

By Mr. Millington: petition of the members of the bar and county officers of the county of St. Joseph, praying for the passage of the bill to reorganize the second, and create the fifteenth judicial circuits.

Referred to the committee on the judiciary.

By Mr. Lane: remonstrance of George W. Beaman and 28 others, citizens of Swan Creek, against issuing bonds to aid in the construction of a bridge across the Tittabawassee river.

Referred to the committee on roads and bridges.

By Mr. Lane: remonstrance of George Frank and 56 others, against the division of the township of Kochville, in the county of Saginaw.

Referred to the committee on towns and counties.

By Mr. Goodrich: petition of H. B. Wetmore, H. C. Hodge,

Wm. F. Goodwin and 96 others, asking for a law extending the jurisdiction of justices of the peace, in justices' courts.

Referred to the committee on the judiciary.

By Mr. Klein: petition of M. S. Smith & Co., Dean, Brow & Co., Shaw & Marvin, J. A. Roys and 49 others, citizens of Detroit, praying for the passage of a law to protect the Commonwealth of Michigan from injury from incompetent dental practitioners.

Referred to the committee on State affairs.

By Mr. Crossman: petition of O. B. Reed, M. D., and 40 others, asking protection for the dental profession.

Referred to the committee on State affairs.

By Mr. Cameron: petition of A. S. Harris, Wm. H. Shier and 25 others, citizens of Pontiac, praying for the protection of the Commonwealth of Michigan from injury by incompetent dental practitioners.

Referred to the committee on State affairs.

By Mr. Osborn: petition of Andrew Howell, E. P. Andrews, M. D., J. R. Bennett, R. F. Mead, M. D., A. M. Allen, M. D., P. L. Spaulding, M. D., and Charles Redfield, citizens of Adrian, asking for the passage of a law to prevent and punish for malpractice in dental surgery.

Referred to the committee on State affairs.

By Mr. Walton: petition of Wm. Stearns, asking for the passage of a law to amend sections 3, 4, 5 and 6, of chapter 35, being sections 1314, 1315, 1316 and 1317, of the compiled laws, relating to interest on money.

Referred to the committee on the judiciary.

By Mr. Lee: petition of Wm. C. Brockway and 57 others, citizens of Hamburg, Livingston county, asking for the passage of a law authorizing cities, towns and counties, to borrow money and vote aid to the Michigan Air Line railroad company.

Referred to the committee on internal improvements.

By Mr. Hunt: petition of Henry A. Shaw and 62 others, for the establishment of a State road in Eaton, Ingham and Jackson counties;

Also: petition of John W. Sherman and 30 others, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Mason: petition of H. R. Lovell, Wm. Paterson and 100 others, tax-payers of the city of Flint, for an amendment to the city charter.

Referred to the committee on banks and incorporations.

By Mr. Mitchell: petition of G. W. Lyon, W. Curry and 105 others, citizens of Antrim county, asking that certain territory may be attached to certain townships in said county.

Referred to the committee on towns and counties.

By Mr. Cogshall: petition of O. L. Spaulding and 25 others, citizens of Clinton county, praying for the protection of dental surgery in the State of Michigan.

Referred to the committee on State affairs.

By Mr. Sickels: petition of D. C. Wiley, C. M. Derbyshire, Chas. Kipp and 190 others, asking for the passage of a law requiring the State Treasurer to pay over to the county treasurer, all ditch taxes on land bid off to the State at the tax sales.

Referred to the committee on ways and means.

By Mr. Sickels: remonstrance of M. V. Brown, H. M. Perrin, and 72 other citizens of St. Johns, against the passage of any law authorizing the licensing of billiard and other gaming tables.

Referred to the committee on State affairs.

By Mr. Hurlbut: petition of Thos. H. Stephenson, asking of for an amendment of section 2871, of the compiled laws, in regard to the rights of executrix in certain cases.

Referred to the committee on the judiciary.

By Mr. Davis: remonstrance of George Grant and 101 others, citizens of the town of Algoma, against amending the charter of the city of Grand Rapids, so as to allow the aldermen of each ward to a seat in the board of supervisors.

Referred to the committee on banks and incorporations.

By Mr. Ashley: memorial and resolution of the board of supervisors of the county of Cass, asking an amendment of act number 273, session laws 1865, so as to allow township treas-

urer's two per cent. fees, instead of one per cent., on taxes voluntarily paid.

On motion of Mr. Ashley,

The memorial was referred to the committee on State affairs, and was ordered printed in the journal.

The following is the memorial:

STATE OF MICHIGAN, } ss.  
COUNTY OF CASS, }

I, Charles L. Morton, clerk of the circuit court, and of the board of supervisors in and for said county, do hereby certify that the following is a true copy, compared by me, of a resolution adopted by said board of supervisors on the 9th day of January, A. D. 1869, and of the vote thereon.

The following resolution, offered by Mr. Doane, was adopted, by yeas and nays, as follows:

Yeas—Messrs. Bennett, Chapman, Pemberton, Allen, Ball, Marsh, Thomas, Palmer, Robertson, Doane, Olmstead and Jones,—12.

Nays—Mr. Huff—1.

Absent: Messrs. Odell and Reynolds.

*Resolved, by the Board of Supervisors of the County of Cass, That we hereby respectfully petition and ask the Senators and Representatives of said county, in the State Legislature of the State of Michigan, to use their influence to procure an amendment to section 821, it being section 39, of chapter 17, of compiled laws, relative to payment of taxes to township treasurers, by amending act 273, of session laws of 1865, by striking out the word "one," where it occurs in said act, after the words "he shall deduct all fees added for collecting expenses, in excess of," and insert the word "two," before the words "per cent.," so as to make it read, "he shall deduct all fees added for collecting expenses in excess of two per cent."*

Given under my hand, and the seal of said circuit court, at Cassopolis, in said county, this 13th day of February, A. D. 1869.

CHAS. L. MORTON, *Clerk.*

By Mr. Swift: memorial of Titus Dort, Jonathan Shearer, James Bayley and 47 others, citizens of the State, in reference to the Agricultural College.

Mr. Sanford moved to lay the memorial on the table;

Which motion did not prevail.

On motion of Mr. Cameron,

The memorial was referred to the committee on the Agricultural College, and was ordered printed in the journal.

The following is the memorial:

*To the Hon. Senate and House of Representatives of the State of Michigan :*

The undersigned, citizens of the State, feeling a deep interest in the prosperity of our State institutions, and desirous that they should be devoted to the legitimate objects for which they were founded, respectfully represent that, in their opinion, the Agricultural College is not meeting the expectations of the people of the State, nor "promoting the cause of agriculture and the mechanic arts," for which purpose it was expressly founded.

In proof of this, we would respectfully call your attention to the following facts:

The College has now been in existence for eleven years, at an expense of \$800,000, and yet no valuable practical information bearing upon the two great industrial interests of the State, which it was founded to promote, has ever resulted therefrom.

Of the thirty-four graduates from the college, a majority of those who have engaged in active business pursuits, instead of becoming model agriculturalists and mechanics, have chosen the professions for their calling. One is a minister of the Gospel; another a physician; two others are professors in universities in other States; several others are professors or assistants in the college where they graduated; and one has been engaged, until quite recently, in taking photographs. No graduate from the Agricultural College has ever added any valuable information to the general stock of agricultural or mechanical knowledge, or ever accomplished anything worthy of imitation in these branches of human industry.

Nor can we wonder at these results when we call to mind the fact, that the President and the principal professors of the College are strictly literary and professional men, who can have little or no sympathy with labor or the laborer, and who never had any practical experience in the departments of industry which the College was founded to promote.

Neither agriculture nor the mechanic arts have any proper representative at the College; nor are they made a specialty there, to which everything else should be made tributary and subservient; on the contrary, they are of secondary consideration.

Instead of an intelligent and efficient superintendent of the farm and of the shops being appointed and sustained there, as the law requires, a mere foreman is appointed, who is subservient to, and echoes the wishes of the Faculty. No wonder, with such examples as these before them, the students prefer the professions, which promises greater honors and emoluments than the more laborious, though not less honorable, occupation for which it is supposed they were specially educated.

What would be thought of the idea of placing an agriculturist or a mechanic at the head of the University? And yet we have the strange spectacle of an Agricultural College, founded for the express purpose of "promoting agriculture and the mechanic arts," being presided over by a strictly literary man, who never did a day's work in his life on the farm, or in the shop!

In view of these facts, we respectfully memorialize your Honorable body to so legislate that the original design of the College shall be strictly carried out.

To this end, we respectfully suggest that the law reorganizing the College, be so amended as to require the appointment of a sound practical man at the head of the institution; the appointment of a superintendent of the farm and of the shops, who shall receive the same compensation and consideration as the most favored of the professors; the maintaining of a winter term at the College, and to require a pledge of every student

entering the College, that he intends to make the calling of agriculture or the mechanic arts his business, and to graduate no student unless he will so pledge himself.

|                    |                  |                     |
|--------------------|------------------|---------------------|
| *Jonathan Shearer, | T. Dunn,         | John Fuller,        |
| *Titus Dort,       | R. C. Sayles,    | Abraham Fisher,     |
| *J. S. Tibbits,    | J. H. Olcott,    | J. M. Hough,        |
| S. Hardenbergh,    | M. Conner,       | B. O. Burnnell,     |
| I. N. Hedden,      | M. Cortrite,     | *Ohas. Noble,       |
| John Shaw,         | Peter Mickol,    | Alex. Collar,       |
| *John B. Wallace,  | J. Zessman,      | J. D. Harrison,     |
| C. H. Bennett,     | *James Bayley,   | *Ammon Brown,       |
| *B. Noyes,         | *B. Hodgkinson,  | Loren E. Doolittle, |
| James Winans,      | *L. Woodward,    | S. W. Walker,       |
| Thos. P. May,      | W. A. Denison,   | W. C. Steers,       |
| William Tafft,     | A. J. Wixon,     | O. B. Curtis,       |
| Lorenzo Pooler,    | D. H. Philbrick, | *O. C. Abell,       |
| H. O. Hanford,     | *H. W. Deare,    | Daniel Walker,      |
| C. B. Crosley,     | R. S. Durfee,    | Alfred Moore,       |
| A. Fralick,        | J. H. Armstrong, | A. E. Pardee,       |
| Stephen Roe,       | A. Paddock,      | Thos. Williams.     |

\* Ex-Members of the Legislature.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the following preamble and resolution:

*Whereas*, Hon. Franklin L. Smith, late a member of this House, by virtue of a proper certificate of election, and his oath of office, was in daily attendance and acted as such member;

*And whereas*, By action of this House on the 13th inst, the seat of the said Franklin L. Smith was awarded to Philo Doty, on the recommendation and action of the committee on elections;

*And whereas*, Nothing in the report of said committee involves the said Smith in the alleged fraud by which he obtained the thirteen votes thrown out by the committee, which action gave to the contesting member a plurality of nine votes; therefore,

*Resolved*, That the committee on the judiciary be and are hereby instructed to inquire into the propriety of appropriating a sufficient sum of money out of the State treasury, for the



relief of Franklin L. Smith, not to exceed three dollars a day during the attendance of said Smith as a member of this House, and that they report by bill or otherwise.

"Also as to the propriety of appropriating a sum of money out of the State Treasury, for the relief of Isaac A. Fancher, for similar reasons, and that they be instructed to report in like manner,"

Respectfully report that it has had the same under consideration, and directed its chairman to submit the following:

*First.* The constitution, article 4, section 15, provides that "the compensation of the members of the Legislature shall be three dollars per day for actual attendance."

*Second.* That "in case of a contested election, the person only shall receive from the State per diem compensation and mileage, who is declared to be entitled to a seat by the House in which the contest takes place."

The question really submitted in the foregoing preamble and resolution, to your committee, they consider to be, whether a distinction cannot be made in favor of one who takes his seat by virtue of a certificate of election, without notice that his seat is to be contested, and who is afterwards thrown out by a vote of this House, in consequence of frauds and illegalities in which he had no part, and of which he had no information; whether the constitution, in the article before recited, is not to be so construed as to apply to cases where the contestant puts forward his claims at or before the oath of office shall have been taken. Your committee are of the opinion that such a construction is creating a distinction without a difference; that it is entirely opposed to any rational construction of the constitution, and does violence, not only to the spirit, but to the very letter of that instrument. But it may be asked, who was the member representing the 1st district of Clinton county, up to the time when Philo Doty was awarded a seat in this House?

Did not Franklin L. Smith sit here as a member? Your committee are aware of the fact that he did sit and act as a member of this House, by virtue of the certificate of election

which he had; that, in the absence of any other proof, that is the proper evidence of his election. They are also aware that such certificate, by repeated decisions of the Supreme Court of this State, is held to be nothing more than *prima facie* evidence of election; that when the fact is disputed, the ballots must be resorted to in order to determine who has been legally elected.

Now, if Philo Doty was legally elected to represent the first district of Clinton county in this House, no certificate of election could, in justice, give Franklin L. Smith any of the legal rights or privileges which members of this House are entitled to, and your committee consider that the constitution, in denying compensation to be allowed to the unsuccessful party, especially in case that party is the occupant, regards his acting as a member as a virtual fraud, not only on the rights of the electors, but also on the legally elected representative.

Your committee are therefore firmly impressed with the opinion that the constitution will not bear any such construction as to allow per diem and mileage to Franklin L. Smith and Isaac A. Fancher, and that such allowance by this House, by way of relief, would be a palpable violation of the clear and express provisions of the constitution.

They therefore ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

By the committee on drainage:

The committee on drainage, to whom was referred

A bill to repeal an act entitled "An act to provide for the drainage of swamps, marshes and other low lands," approved March 15, 1861, and all acts amendatory thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. A. BROWNELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Huston,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred

A bill to facilitate getting out logs and timber from lands in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. H. FENNER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing, to whom was referred

A bill to prevent frauds in advertising,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

H. B. ROWLSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Blake,

The bill was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to authorize and encourage the formation of corporations to establish rural cemeteries, and to provide for the care and maintenance thereof;

Also,

A bill relating to interest upon installments falling due upon written contracts;

Also,

A bill to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive;

Also,

A bill to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

Also,

A bill to authorize the construction of a draw-bridge across the Menominee river, in Menominee county;

Also,

Joint resolution asking for a grant of \$50,000 in money, to deepen St. Mary's Falls ship canal.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating two sections of State swamp land to enable the State Swamp Land Commissioner to complete the Clio and Chesaning State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the message of the Governor of Feb. 12th, 1869, and the commu-

nication of the Commissioner of the General Land Office, dated Feb. 3, '69, in regard to the State releasing all claims to the E  $\frac{1}{2}$  of S E  $\frac{1}{2}$  section 23, town 14 north, 12 west.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution authorizing the Governor to release to the United States, all the claim the State of Michigan has to the E  $\frac{1}{2}$  of S E  $\frac{1}{2}$  section 23, town 14 north, 12 west;

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman*.

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred A bill to organize the county of Benzie,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred A bill to organize the county of Wexford,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

L. D. BEALL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mitchell,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to legalize the action of the board of supervisors of Ingham county, discontinuing a certain piece of State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Sanford,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section 2, of act No. 297, of the session laws of 1865, approved March 21, 1865, entitled "An act to appropriate the highway taxes upon certain lands of non-residents in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike in said township," and to add a new section thereto, to stand as section 9,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal sections 1 and 2, of act 471, of laws of 1867, and to amend section 3, of the same act, in reference to appropriating non-resident highway taxes for the improvement and construction of State roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 59, entitled

A bill to amend section 59, of chapter 90, of the revised statutes of 1846, being section 3513 of the compiled laws, relative to the powers, limits and jurisdiction of the circuit courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

**ELISHA F. MEAD, *Chairman.***

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of compiled laws, relative to limitations of actions, and to repeal act No. 30, of laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

**ELISHA F. MEAD, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 37, being

A bill to provide for the improvement of the navigation of the Saginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so



amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lane,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 74, being

A bill to incorporate the village of Plainwell, in the county of Allegan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gifford,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Gifford,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "an act to incorporate the city of Wyandotte," approved March 5, 1867;

Also, the petition of the common council and citizens of said city, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the

House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 47, entitled

A bill to revise the charter of the village of Saugatuck,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 4, of section 3, the word "eight," and inserting "nine" in place thereof; also, by inserting after the word "forenoon," in the same line, the words "or as soon thereafter as may be."

2. By striking out in line 57, of section 7, the word "Moore's," and inserting in place thereof the words "all the;" also, by striking out the word "all" before the word "mill-races."

3. By striking out in line 60, of section 7, the word "Moore's," and inserting the word "the" in place thereof.

4. By striking out in line 12, of section 14, the word "absolute."

5. By striking out in line 4, of section 29, the word "closing," and inserting in place thereof the word "opening."

6. By striking out in line 19, of section 29, the word "six," and inserting in place thereof the word "twelve."

7. By striking out in line one, of section 32, the words "inconsistent with," and inserting in place thereof the word "contravening;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Holt,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 23, entitled

A bill to incorporate the village of Lawton,

And to inform the House that the Senate has amended the same by striking out, in line 6, of section 47, the word "absolute;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Rowson moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Goodrich,   | Mr. Purcell,    |
| Avery,        | Grant,          | Putnam,         |
| Baxter,       | Harris,         | Romeyn,         |
| Beall,        | Holt,           | Rowlson,        |
| Blake,        | Horton,         | Sanford,        |
| Bostwick,     | Hubbard,        | Seward,         |
| Boynton,      | Hunt,           | Sheldon,        |
| G. G. Briggs, | Huston,         | Sickels,        |
| R. V. Briggs, | Hutchinson,     | Slayton,        |
| Brownell,     | Ingersoll,      | Smith,          |
| Cameron,      | L. Kendrick,    | Snell,          |
| B. Clark,     | F. G. Kendrick, | Stannard,       |
| O. Clark,     | Kingsley,       | Swift,          |
| Cogshall,     | Klein,          | Thompson,       |
| Crane,        | Lane,           | Wagner,         |
| Crossman,     | Lee,            | Walker,         |
| Curry,        | Lovell,         | Walton,         |
| Davis,        | Mason,          | Weier,          |
| Doty,         | McCowen,        | Wendell,        |
| Dusseau,      | McKernan,       | Westover,       |
| Eaton,        | Mead,           | Wilcox,         |
| Eck,          | Miles,          | H. G. Williams, |
| Elliott,      | Miller,         | J. A. Williams, |
| Fenner,       | Millington,     | W. D. Williams, |
| Fuller,       | Mitchell,       | Woodard,        |
| Gay,          | Newman,         | Yawkey,         |
| Gifford,      | Osborn,         | Speaker, 81     |

## NAYS.

|              |             |               |   |
|--------------|-------------|---------------|---|
| Mr. Hurlbut, | Mr. Riford, | Mr. Riopelle, | 3 |
|--------------|-------------|---------------|---|

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 7, entitled

Joint resolution asking Senators and Representatives in Congress from Michigan, to urge the speedy erection of a light-

house at the mouth of the Manistee river, in the county of Manistee;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 18, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 72, entitled

A bill to prevent the destruction of muskrats and muskrat houses in the marshes along the shores of Lakes Erie, St. Clair, Huron and Michigan;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 18, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 65, entitled

A bill to legalize the organization of union school district No. 1, of Wyoming and Georgetown, in the counties of Kent and Ottawa, in the State of Michigan;

## 2. Senate bill No. 74, entitled

A bill to change the name of the township of Reed, Oceana county, to that of Ferry;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on education.

The second named bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Ingersoll, by unanimous consent, offered the following:

*Resolved*, That there be added to the rules of the House the following:

RULE —. The use of the Chamber of the House of Representatives may be granted to the State Agricultural Society, the State Medical Society, and such other societies as are required by law to report to the Legislature. No application for the use of the Chamber for any other purpose, shall be entertained without the unanimous consent of the House.

On motion of Mr. Ingersoll,

The resolution was referred to the committee on rules and joint rules.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency the Governor, in writing.

INTRODUCTION OF BILLS.

Mr. Mitchell, unanimous consent being given, introduced

A bill to attach the unorganized counties of Otsego, Crawford, and a portion of Kalkaska, to the townships of South Arm, Torch Lake, Helena and Rapid River.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Wendell, unanimous consent being given, introduced  
A bill appropriating ten sections of State swamp land for draining and improving land on Pine and Round lakes, in Emmet county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to amend sections 27, 28 and 34, of chapter 10, of the compiled laws of A. D. 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Huston, unanimous consent being given, introduced

A bill to provide for the laying out and establishing a State road from Card to Hurd's Corners, in Tuscola county.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Fenner, previous notice having been given, and leave being granted, introduced

A bill appropriating swamp lands to aid in constructing a ditch from a point on Cass river, in township 12 north, of range 13 east, to a point on the Lexington and Lapeer State road, in township 10 north, range 13 east, in the county of Sanilac.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Plimpton, previous notice having been given, and leave being granted, introduced

A bill to amend section 5, of chapter 86, of the revised statutes of 1846, the same being section 8303, of chapter 110, of the compiled laws of 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sickels, previous notice having been given, and leave being granted, introduced

A bill appropriating certain non-resident highway taxes, for the improvement of the Ovid and St. Charles State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to detach certain territory from the county of Saginaw, and attach the same to the county of Bay.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Westover, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Portsmouth to issue its bonds to aid in the construction of a bridge across Saginaw river.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Riford, previous notice having been given, and leave being granted, introduced

A bill to define certain offenses affecting railroads, and to provide punishment for the same.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to amend section 2871 of the compiled laws of this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

M. Mason, unanimous consent being given, introduced

A bill to amend an act entitled an act to revise the charter of the city of Flint, approved March 20, 1867.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to attach townships No. 17, 18, 19 and 20 north, of range No. 12 west, in the unorganized county of Lake, to the township of Chase, and attaching said township of Chase, being



townships 17, 18, 19 and 20 north, of ranges 11 and 12 west, in the unorganized county of Lake, to the county of Osceola, when fully organized.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Fuller, previous notice having been given, and leave being granted, introduced

A bill to attach the west half of the unorganized county of Clare to the county of Mecosta, for judicial and municipal purposes.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Crane, unanimous consent being given, introduced

A bill to authorize the township of Cambridge, Lenawee county, to raise by tax certain moneys, for the relief of Andrew Ayers, late treasurer of said town.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Lane, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee River, in said county, by issuing the bonds of said township, and to provide for the payment thereof.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Romeyn, unanimous consent being given, introduced

A bill to amend section 2, of act No. 231, of the session laws of 1859, being an act to abolish the fees of clerks of the supreme court, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Harris, previous notice having been given, and leave being granted, introduced

A bill to incorporate the Machinists' and Blacksmiths' Union, No. 2, of Michigan.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. G. G. Briggs, unanimous consent being given, introduced

A bill to amend section 535 of the compiled laws, relating to the canvass of votes in townships.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. Dusseau, unanimous consent being given, introduced

A bill to appropriate swamp lands to the county of Monroe, for the purpose of draining swamps, marshes and other low lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 66, of the session laws of 1867, approved March 20, 1867, being an act to amend an act entitled an act to amend act No. 328, of the session laws of 1865, being an act entitled an act to provide for the erection and maintenance of shutes for the passage of fish through the dams on the streams of the State.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to amend section 107, No. 34, session laws of 1867, of an act entitled an act to amend sections 12, 22, 28, 31, 41, 53, 98, 107, 109, 137, 140, of chapter 58, of the revised statutes of 1846, being sections 2255, 2265, 2271, 2274, 2284, 2296, 2322, 2341, 2350, 2352, 2378, 2381, of the compiled laws, of section 14 of an act entitled "An act for the relief of school districts," approved February 7, 1865, being section 2412, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Brownell, unanimous consent being given, and leave granted, introduced

A bill to incorporate the city of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Thompson, previous notice having been given, and leave being granted, introduced

A bill making appropriations for the support of the Michigan Asylum for the Deaf, Dumb and Blind; also, for completing buildings and fixtures thereof, and deficiency.

The bill was read a first and second time by its title, and referred to the committee on the Asylum for the Deaf, Dumb and Blind.

Mr. Riopelle, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to authorize the organization of 'Young Men's Christian Associations,'" approved March 27, 1867, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Sanford, unanimous consent being given, introduced

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held February 6, 1869, in locating the site of a bridge across Grand river, in said township.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Walton, previous notice having been given, and leave being granted, introduced

A bill to amend sections 3, 4, 5 and 6, of chapter 35, being sections 1314, 1315 and 1317 of the compiled laws, relating to interest on money.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boynton, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out, establishing and constructing a State road in the county of Alcona, and to appropriate certain non-resident highway taxes to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Riopelle, previous notice having been given, and leave being granted, introduced

A bill to amend section 15, of chapter 110, of the compiled laws of 1857, entitled "Guardians and Wards;"

Also,

A bill to amend section 18, of chapter 110, of the compiled laws of 1857, entitled "Guardians and Wards."

The bills were read a first and second time by their titles, and referred to the committee on the judiciary.

Mr. Elliott, previous notice having been given, and leave being granted, introduced

A bill to amend section 33, of act No. 181, of the session laws of 1863, approved March 20, 1863, and section 39, of act No. 273, of the session laws of 1865, approved March 20, 1865, relative to levying and collectig taxes.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Romeyn, previous notice having been given, and leave being granted, introduced

A bill to define the rights of real estate, in certain cases;

Also,

A bill to extend the right of trial by jury, to test the validity of assessment rolls in certain cases.

The bills were read a first and second time by their titles, and referred to the committee on the judiciary.

Mr. Crane, previous notice having been given, and leave being granted, introduced

A bill to amend section 10, act 130, of the session laws of 1867, relative to admitting juvenile offenders to the Reform School.

The bill was read a first and second time by its title, and referred to the committee on the Reform School.

## THIRD READING OF BILLS.

House bill No. 12, entitled

A bill to amend an act entitled "An act to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston, to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston," approved February 5th, 1864, and amended by act of the Legislature, approved March 21st, 1865,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hurlbut moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Avery,    | Mr. Hurlbut,    | Mr. Rowlson,    |
| Baxter,       | Huston,         | Sanford,        |
| Boynnton,     | Ingersoll,      | Seward,         |
| R. V. Briggs, | Jewell,         | Sheldon,        |
| Cameron,      | L. Kendrick,    | Slayton,        |
| B. Clark,     | F. G. Kendrick, | Smith,          |
| O. Clark,     | Kingsley,       | Snell,          |
| Cogshall,     | Klein,          | Stewart,        |
| Crane,        | Lane,           | Swift,          |
| Curry,        | Lee,            | Thompson,       |
| Doty,         | Lovell,         | Wagner,         |
| Dusseau,      | McCowen,        | Walker,         |
| Eaton,        | McKernan,       | Walton,         |
| Eck,          | Mead,           | Weier,          |
| Fuller,       | Miles,          | Wendell,        |
| Gay,          | Miller,         | Westover,       |
| Goodrich,     | Mitchell,       | Wilcox,         |
| Grant,        | Newman,         | H. G. Williams, |
| Harris,       | Osborn,         | W. D. Williams, |
| Holt,         | Purcell,        | Woodard,        |
| Hubbard,      | Riford,         | Yawkey,         |
| Hunt,         | Riopelle,       | Speaker,        |

## NAYS.

Mr. Ashley,  
Bostwick,  
Davis,  
Elliott,  
Fenner,

Mr. Horton,  
Hutchinson,  
Mason,  
Millington,  
Murray,

Mr. Plimpton,  
Putnam,  
Shier,  
Stannard,  
J. A. Williams,

15

Pending the announcement of the vote, '

Mr. Mead moved that Mr. Mason be excused from voting;  
Which motion did not prevail.

Mr. Mason then voted as recorded above.

Mr. Yawkey moved that Mr. Miles be excused from voting;  
Which motion did not prevail.

Mr. Miles then voted as recorded above.

Mr. Sanford moved that Mr. Mitchell be excused from voting;  
Which motion did not prevail.

Mr. Mitchell then voted as recorded above.

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

House bill No. 72, entitled

A bill to incorporate the city of Corunna,

Was read a third time, and pending the taking of the vote on  
the passage thereof,

Mr. Hunt moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
Beall,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,

Mr. Holt,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,

Mr. Riford,  
Riopelle,  
Rowlson,  
Sanford,  
Seward,  
Sheldon,  
Shier,  
Slayton,  
Smith,  
Snell,

|           |             |                 |
|-----------|-------------|-----------------|
| O. Clark, | Lane,       | Stannard,       |
| Cogshall, | Lee,        | Stewart,        |
| Crane,    | Lovell,     | Swift,          |
| Curry,    | Mason,      | Thompson,       |
| Davis,    | McCowen,    | Wagner,         |
| Doty,     | McKernan,   | Walker,         |
| Dusseau,  | Mead,       | Walton,         |
| Eaton,    | Miles,      | Weier,          |
| Eck,      | Miller,     | Wendell,        |
| Elliott,  | Millington, | Westover,       |
| Fenner,   | Mitchell,   | Wilcox,         |
| Fuller,   | Newman,     | H. G. Williams, |
| Gay,      | Osborn,     | W. D. Williams, |
| Goodrich, | Purcell,    | Yawkey,         |
| Grant,    | Putnam,     | Speaker,        |
| Harris,   |             |                 |

76

## NAYS.

Mr. Hutchinson, Mr. J. A. Williams, Mr. Woodard,  
F. G. Kendrick, 4

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the action of the board of supervisors of Ingham county, in discontinuing a certain piece of State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |             |
|---------------|-----------------|-------------|
| Mr. Ashley,   | Mr. Harris,     | Mr. Romeyn, |
| Avery,        | Holt,           | Rowlson,    |
| Baxter,       | Horton,         | Sanford,    |
| Beall,        | Hurlbut,        | Seward,     |
| Bostwick,     | Huston,         | Sheldon,    |
| G. G. Briggs, | Hutchinson,     | Shier,      |
| Brownell,     | Ingersoll,      | Slayton,    |
| Cameron,      | L. Kendrick,    | Smith,      |
| B. Clark,     | F. G. Kendrick, | Snell,      |
| O. Clark,     | Kingsley,       | Stannard,   |
| Crane,        | Lane,           | Stewart,    |
| Curry,        | Lee,            | Swift,      |
| Davis,        | Mason,          | Thompson,   |
| Doty,         | McKernan,       | Walker,     |

|           |             |                 |
|-----------|-------------|-----------------|
| Dusseau,  | Mead,       | Weier,          |
| Eaton,    | Miller,     | Wendell,        |
| Eck,      | Millington, | Westover,       |
| Elliott,  | Mitchell,   | Wilcox,         |
| Fenner,   | Murray,     | H. G. Williams, |
| Fuller,   | Newman,     | W. D. Williams, |
| Gay,      | Osborn,     | Woodard,        |
| Goodrich, | Putnam,     | Speaker,        |
| Grant,    | Riford,     |                 |

68

## NAYS.

|                   |             |                     |
|-------------------|-------------|---------------------|
| Mr. R. V. Briggs, | Mr. Walton, | Mr. J. A. Williams, |
| Lovell,           |             | 4                   |

Pending the announcement of the vote,

Mr. G. G. Briggs moved that Mr. J. A. Williams be excused from voting;

Which motion did not prevail.

Mr. Williams then voted as recorded above.

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 74, entitled

A bill to incorporate the village of Plainwell, in the county of Allegan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |                 |             |
|---------------|-----------------|-------------|
| Mr. Ashley,   | Mr. Harris,     | Mr. Riford, |
| Avery,        | Holt,           | Riopelle,   |
| Baxter,       | Horton,         | Romeyn,     |
| Beall,        | Hubbard,        | Rowlson,    |
| Bostwick,     | Hunt,           | Sanford,    |
| Boynton,      | Hurlbut,        | Seward,     |
| G. G. Briggs, | Huston,         | Sheldon,    |
| R. V. Briggs, | Hutchinson,     | Shier,      |
| Brownell,     | Jewell,         | Slayton,    |
| Cameron,      | L. Kendrick,    | Smith,      |
| B. Clark,     | F. G. Kendrick, | Stannard,   |
| O. Clark,     | Kingsley,       | Stewart,    |
| Cogshall,     | Lane,           | Swift,      |
| Crane,        | Lee,            | Thompson,   |



|           |             |                 |
|-----------|-------------|-----------------|
| Curry,    | Lovell,     | Walker,         |
| Davis,    | McCowen,    | Walton,         |
| Doty,     | Mead,       | Weier,          |
| Dusseau,  | Miller,     | Wendell         |
| Eck,      | Millington, | Westover,       |
| Elliott,  | Mitchell,   | Wilcox,         |
| Fenner,   | Murray,     | H. G. Williams, |
| Fuller,   | Newman,     | J. A. Williams, |
| Gay,      | Osborn,     | W. D. Williams, |
| Goodrich, | Putnam,     | Speaker,        |
| Grant,    |             |                 |

73

NAYS.

0

Title agreed to.

On motion of Mr. Rowlson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Mason offered the following:

*Resolved*, That the Hon. B. W. Huston be and he is hereby elected Speaker *pro tem.* of this House.

Mr. Cogshall moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Cameron moved to refer the resolution to the committee on education.

Mr. G. G. Briggs demanded the previous question;

The demand was not seconded.

Mr. Cameron withdrew the motion to refer the resolution to the committee on education.

The resolution was then adopted, by yeas and nays, as follows:

#### YEAS.

|               |                 |             |
|---------------|-----------------|-------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Riford, |
| Avery,        | Hunt,           | Riopelle,   |
| Baxter,       | Hurlbut,        | Romeyn,     |
| Beall,        | Hutchinson,     | Rowlson,    |
| Blake,        | Ingersoll,      | Sanford,    |
| Bostwick,     | Jewell,         | Seward,     |
| Boynton,      | L. Kendrick,    | Sheldon,    |
| G. G. Briggs, | F. G. Kendrick, | Shier,      |
| R. V. Briggs, | Kingsley,       | Smith,      |

|           |             |                 |
|-----------|-------------|-----------------|
| Cameron,  | Lane,       | Snell,          |
| B. Clark, | Lee,        | Stannard,       |
| O. Clark, | Lovell,     | Swift,          |
| Cogahall, | Mason,      | Thompson,       |
| Curry,    | McCowen,    | Walker,         |
| Davis,    | McKernan,   | Walton,         |
| Doty,     | Mead,       | Ward,           |
| Dussean,  | Miles,      | Weier,          |
| Eck,      | Miller,     | Westover,       |
| Elliott,  | Millington, | Wilcox,         |
| Gay,      | Mitchell,   | H. G. Williams, |
| Gifford,  | Murray,     | J. A. Williams, |
| Goodrich, | Newman,     | W. D. Williams, |
| Grant,    | Osborn,     | Yawkey,         |
| Harris,   | Purcell,    | Speaker,        |
| Holt,     |             |                 |

73

## NAYS.

Mr. Slayton,

1

Mr. Westover moved to discharge the committee of the whole from the further consideration of House bill No. 86, entitled

A bill to organize the county of Alcona, and for other purposes;

Which motion prevailed.

On motion of Mr. Westover,

The bill was placed on the order of third reading.

Mr. G. G. Briggs offered the following:

*Resolved*, That the use of the Hall of the House of Representatives be allowed to Prof. A. Winchell, of Ann Arbor, on Tuesday evening, February 23, for the purpose of delivering a lecture upon geology, and the benefits to be derived from a geological survey of the State;

Which was adopted.

Mr. Holt moved to discharge the committee of the whole from the further consideration of House bill No. 77, entitled

A bill to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton;

Which motion prevailed.

On motion of Mr. Holt,

The bill was placed on the order of third reading.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of Senate bill No. 37, entitled

A bill to provide for the improvement of the navigation of the Saginaw river;

Which motion did not prevail.

GENERAL ORDER.

On motion of Mr. Riopelle,

The House went into committee of the whole, on the general order,

Mr. Baxter in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 76, entitled

A bill supplementary to an act entitled "An act to provide for the incorporation of lodges and encampments of the Independent Order of Odd Fellows," approved March 15, 1865, and to add two sections thereto;

2. Senate bill No. 25, entitled

A bill to amend section 65, of chapter 58, of the revised statutes of 1846, entitled "of primary schools," being section 2308 of the compiled laws;

3. Senate bill No. 33, entitled

A bill transferring all moneys from the soldiers' relief fund and soldiers' home fund to the military fund;

4. Senate bill No. 24, entitled

A bill to amend act No. 58, of session laws of 1867, approved March 15, 1867, entitled "An act to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counsel, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties, in suits at law in the circuit court;"

5. House bill No. 78, entitled

A bill to amend an act to provide for the appointment of trustees in certain cases, approved February 17, 1857;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolutions:

1. House joint resolution No. 10, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage Lake and river, in Houghton county;

2. House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of Cheboygan river, on the Straits of Mackinaw;

3. Joint resolution No. 12, entitled

Joint resolution asking the general government for a grant of land, to aid in the construction of the Mineral Range railroad;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The several named bills and joint resolutions were placed on the order of third reading.

Mr. Huston, by unanimous consent, offered the following:

*Resolved*, That the committee on public lands be authorized to employ a clerk, at a per diem of not exceeding three dollars per day, and for not more than ten days;

Which was adopted.

On motion of Mr. Ingersoll,

The House took a recess until 2½ o'clock this afternoon.

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AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Purcell asked and obtained leave of absence for Mr. R. V. Briggs, until Tuesday morning.

Mr. Purcell asked and obtained leave of absence for Mr. F. G. Kendrick, until Tuesday morning.

Mr. Woodard asked and obtained leave of absence for Mr. Weier, for an indefinite time, on account of sickness.

Mr. Lee asked and obtained leave of absence for Mr. Woodward, until Tuesday morning.

By unanimous consent, Mr. Crossman moved to take from the table House bill No. 47, entitled

A bill to revise the charter of the village of Saugatuck;

Which motion prevailed.

Mr. Crossman moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

|             |                |                 |
|-------------|----------------|-----------------|
| Mr. Ashley, | Mr. Ingersoll, | Mr. Sanford,    |
| Avery,      | Jewell,        | Seward,         |
| Baxter,     | L. Kendrick,   | Sheldon,        |
| Blake,      | Kingsley,      | Shier,          |
| Boynnton,   | Lane,          | Slayton,        |
| Cameron,    | Lee,           | Snell,          |
| B. Clark,   | Lovell,        | Stannard,       |
| O Clark,    | Mason,         | Stewart,        |
| Cogshall,   | McCowen,       | Swift,          |
| Crane,      | Miles,         | Thompson,       |
| Crossman,   | Miller,        | Wagner,         |
| Curry,      | Millington,    | Walker,         |
| Doty,       | Mitchell,      | Walton,         |
| Dusseau,    | Newman,        | Wendell,        |
| Eck,        | Osborn,        | Westover,       |
| Fenner,     | Plimpton,      | Wilcox,         |
| Gay,        | Purcell,       | H. G. Williams, |
| Goodrich,   | Putnam,        | J. A. Williams, |
| Grant,      | Riford,        | W. D. Williams, |
| Harris,     | Riopelle,      | Woodard,        |
| Hubbard,    | Romeyn,        | Speaker,        |
| Hutchinson, | Rowlson,       |                 |

65

#### NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

## MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, February 19, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to authorize and encourage the formation of corporations to establish rural cemeteries, and provide for the care and maintenance thereof;

Also,

An act to extend the time for the collection of certain drain taxes in the townships of Greenfield and Hamtramck, in the county of Wayne, for the year 1868;

Also,

An act to legalize the terms of the circuit courts in the counties composing the twelfth judicial circuit, for the years 1865 to 1868, inclusive;

Also,

An act relating to interest upon installments falling due upon written contracts;

Also,

An act to authorize the construction of a draw-bridge across the Menominee river, in Menominee county;

Also,

Joint resolution asking for a grant of \$50,000 in money, to deepen St. Mary's Falls ship canal.

HENRY P. BALDWIN.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 35, entitled

A bill to amend an act entitled "An act to extend aid to the University of Michigan;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 19, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Hudson, in the county of Lenawee, for the year 1868;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Miller,

The rules were suspended, and the bill was put upon its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

|               |             |                 |
|---------------|-------------|-----------------|
| Mr. Ashley,   | Mr. Holt,   | Mr. Riopelle,   |
| Avery,        | Horton,     | Romeyn,         |
| Baxter,       | Hubbard,    | Rowlson,        |
| Blake,        | Hunt,       | Sanford,        |
| Boynton,      | Ingersoll,  | Seward,         |
| G. G. Briggs, | Kingsley,   | Sheldon,        |
| Cameron,      | Lane,       | Shier,          |
| B. Clark,     | Lee,        | Slayton,        |
| O. Clark,     | Lovell,     | Snell,          |
| Cogshall,     | Mason,      | Stannard,       |
| Crane,        | McCowen,    | Stewart,        |
| Crossman,     | Miles,      | Swift,          |
| Curry,        | Miller,     | Thompson,       |
| Davis,        | Millington, | Wagner,         |
| Doty,         | Mitchell,   | Walker,         |
| Dusseau,      | Murray,     | Walton,         |
| Eck,          | Newman,     | Wendell,        |
| Elliott,      | Osborn,     | Westover,       |
| Fenner,       | Plimpton,   | Wilcox,         |
| Goodrich,     | Purcell,    | H. G. Williams, |
| Grant,        | Putnam,     | W. D. Williams, |
| Harris,       | Riford,     | Speaker, 66     |

## NAYS.

0

Title agreed to.

On motion of Mr. Jewell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Ingersoll,

The House went into committee of the whole, on the general order,

Mr. Holt in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:



1. House joint resolution No. 13, entitled

Joint resolution for the relief of Alanson Holbrook;

2. House joint resolution No. 14, entitled

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased;

Have made amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

1. House bill No. 83, entitled

A bill to organize the township of Monitor, in Bay county;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. Senate bill No. 38, entitled

A bill to amend act No. 162, of the session laws of 1867, approved March 27, 1867, being "An act relative to the imprisonment of parties in civil suits in certain cases," by adding a proviso thereto;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bills:

3. Senate bill No. 40, entitled

A bill to amend section 3815, of the compiled laws, being section 163, of chapter 93, of the revised statutes of 1846, relating to justices' courts;

4. Senate bill No. 42, entitled

A bill transferring all moneys in the contingent fund to the general fund;

5. Senate manuscript bill, entitled

A bill to provide for an insurance on the State library;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

HENRY H. HOLT, *Chairman.*

The two joint resolutions were placed on the order of third reading.

On motion of Mr. Osborn,

The amendment made to the first named bill was concurred in, and it was placed on the order of third reading.

Mr. Slayton moved that the House concur in the action of the committee, in striking out all after the enacting clause of the second named bill;

Which motion did not prevail.

The bill was then placed on the order of third reading.

The third, fourth and fifth named bills were placed on the order of third reading.

Mr. Ingersoll moved that when the House adjourn, it be until Monday morning at 9 o'clock;

Which motion prevailed.

On motion of Mr. Mason,

The House adjourned.

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*Lansing, Monday, February 22, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem.*

Prayer by Rev. Mr. Fish.

Roll called: quorum present.

Absent without leave: Messrs. Ashley, Avery, Baxter, O. Clark, Crane, Curry, Gifford, Goodrich, Hubbard, Hutchinson, Jewell, F. G. Kendrick, Klein, Mandigo, McCowen, Murray, Purcell, Snell, Stannard, Ternes, Thompson, Weier, Westover, Wilcox, H. G. Williams, Woodard, Yawkey and the Speaker.

Mr. Cameron asked and obtained leave of absence for Mr. Ashley, during the day.

Mr. Smith asked and obtained leave of absence for Mr. Avery, for the day.

Mr. Shaw asked and obtained leave of absence for Mr. Baxter, for the day.

Mr. Sheldon asked and obtained leave of absence for Mr. O Clark, for the day.

Mr. Shaw asked and obtained leave of absence for Mr. Crane, for the day.

Mr. Norton asked and obtained leave of absence for Mr. Curry, for an indefinite time, on account of sickness.

Mr. Harris asked and obtained leave of absence for Mr. Klein, for the day.

Mr. Millington asked and obtained leave of absence for Mr. Mandigo, for the day.

Mr. Romeyn asked and obtained leave of absence for Mr. Purcell, for the day.

Mr. W. D. Williams asked and obtained leave of absence for Mr. Snell, for the day.

Mr. Hunt asked and obtained leave of absence for Mr. Thompson, for the day.

Mr. Hurlbut asked and obtained leave of absence for the Speaker, for the day.

Mr. Cogshall asked and obtained leave of absence for Mr. Wilcox, for the day.

Mr. W. D. Williams asked and obtained leave of absence for Mr. H. G. Williams, for the day.

Mr. Riopelle asked and obtained leave of absence for Mr. Yawkey, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of J. J. Brockway, J. W. Dewey and 13 others, asking that the drain law be so amended that the inhabitants of the whole State bear a fair proportion of the expense of cutting large drains, and clearing out the beds of sluggish streams.

Referred to the committee on drainage.

By Mr. Shaw: petition of B. W. Allen, N. M. Pattison, F. A. Wileox, Charles Crofoot and 27 others, citizens of Lenawee county, asking the passage of an act for the protection of fish in certain lakes in Lenawee county.

Referred to the committee on fisheries.

By Mr. Horton: petition of J. G. Crawford and 67 others, for the annulling of the charter of the Flint and Fentonville plank road company.

Referred to the committee on roads and bridges.

By Mr. Snell: petition of Elias Spencer, John D. Thompson, Thomas Clark and 6 others, praying for bounty.

Referred to the committee on military affairs.

By Mr. Huston: petition of Wm. B. Waldo and 49 others, citizens of Akron and Genoa, asking for an appropriation to make a ditch through the town of Genoa, Tuscola county;

Also: petition of J. G. Jeffries and 23 others, citizens of Kingston, Tuscola county, for the same purpose;

Also: petition of Thomas Constable and 24 others, citizens of Kingston, Tuscola county, for the same purpose;

Also: petition of A. J. Ducolan and 42 others, citizens of Kingston, Tuscola county, for the same purpose;

Also: petition of John B. Glazier and 43 others, for the same purpose.

Referred to the committee on public lands.

By Mr. B. Clark: petition of George B. Jocelyn, W. H. Shelley and 110 others, asking for the passage of an act to protect the people of the State from incompetent dental practitioners.

Referred to the committee on State affairs.

By Mr. Slayton: petition of M. M. Perry, J. C. Train, Jas. W. Hine, J. Howard Smith, M. D., H. H. Vinton and 45 others, citizens of Lowell, Kent county, asking that Washington street, in said village, be made a public highway.

Referred to the committee on banks and incorporations.

By Mr. Slayton: petition of John Blain, W. R. Blaisdell, Jas. B. Shear, J. H. Wood, U. B. Williams and 17 others, citizens

of the village of Lowell, Kent county, asking for the enlargement of the boundaries of said village, but remonstrating against the lines proposed in a former petition.

Referred to the committee on banks and incorporations.

By Mr. W. D. Williams: petition of W. B. Arms and 31 others, citizens of Fenton, praying for the passage of a law to protect the citizens of Michigan against injury from incompetent dental practitioners.

Referred to the committee on State affairs.

By Mr. Walker: petition of Rev. Milton Bradley, Eli R. Miller, Wm. Doolittle and 5 others, citizens of Kalamazoo county, asking the State of Michigan to assume the ownership of the Michigan Female Seminary, in order to maintain and enlarge its sphere of usefulness.

Referred to the committee on education.

By Mr. Hurlbut: remonstrance of Wm. Anderson, H. B. Clark and 49 others, property holders of the village of Lawrence, Van Buren county, against the passage of an act to incorporate said village, now pending before the House.

Referred to the committee on banks and incorporations.

By Mr. Seward: petition of Joseph Bacon, G. Hurt and 15 others, residents of Berrien county, asking for the division of the 2d judicial circuit.

Referred to the committee on the judiciary.

By Mr. Seward: remonstrance of Emory Smead, Jacob Rough, Wm. Haslett, Enoch Egbert and 170 others, citizens of Bertrand township, against the division of said township, and creating a new township.

Referred to the committee on towns and counties.

By Mr. Boynton: petition of Samuel Durrant, Simon Smith and 28 others, citizens of St. Clair county, for the repeal of the drainage laws, or if continued in force, to so amend as to provide for the election by the people of only one commissioner.

Referred to the committee on drainage.

By Mr. Seward: remonstrance of Phillip Calvin, A. J. Starr and 31 others, of Niles township, against the passage of an act

detaching certain territory from Niles township, and attaching the same to Bertrand, in Berrien county;

Also: remonstrance of Samuel Messenger, C. E. Gillett, Wm. Butson and 58 others, against the same;

Also: remonstrance of D. McIntosh, G. S. Hoppin, B. B. Barker and 129 others, against the same.

Referred to the committee on towns and counties.

By Mr. Fenner: petition of S. Coppernall, R. C. Ducham and 18 others, citizens of Sanilac, Sanilac county, praying for the construction of a State road in Sanilac county.

Referred to the committee on public lands.

By Mr. Norton: remonstrance of Chas. G. Bill, G. G. Lovell and 65 others, against granting a charter to the village of Spring Lake, in Ottawa county.

Referred to the committee on banks and incorporations.

By Mr. Dusseau: petition of Francis G. Smith, D. E. Roberts and 42 others, citizens of Monroe county, praying for the equalization of bounties to soldiers.

Referred to the committee on military affairs.

By Mr. Mead: petition of S. H. Babbitt, L. Andrus, J. L. Kelsey and 14 others, citizens of Macomb county, praying for an amendment to chapter 91, of the compiled laws, relative to titles to real property, by descent, so as to allow widows of deceased persons to inherit one-third of the real property, and, under proper control, and to have a life estate in all such property, during the minority of the children.

Referred to the committee on the judiciary.

By Mr. Mead: petition of J. A. Harvey, M. D., Samuel H. Reade, J. H. Holland, S. O. Giddings and 35 others, citizens of Romeo, Macomb county, praying for an act protecting the citizens of Michigan against incompetent dental surgeons.

Referred to the committee on State affairs.

By Mr. Harris: petition of A. Turner and 20 others, citizens of Branch county, praying that sections 1588, 1589, and 1590, of the compiled laws of this State, be repealed, so far as the same relates to the playing of billiards, and keeping billiard

tables for hire, or that such sections and the laws now in force, be so amended that licenses may be granted therefor;

Also: petition of Wallace Halsted, E. R. Holmes, A. McFarlane, G. Rosenthal and 40 others, citizens of Lyons, for the same purpose;

Also: petition of Hiram Cogswell, Chester Wadsworth and 17 others, citizens of Mount Morris, for the same purpose;

Also: petition of J. W. Elliott and 146 others, citizens of Northville, for the same purpose;

Also: petition of L. B. Hicks and 48 others, citizens of Ovid, for the same purpose;

Also: petition of J. C. Williams and 67 others, citizens of Owosso, for the same purpose;

Also: petition of C. W. Olds and 52 others, citizens of St. Johns, for the same purpose.

Referred to the committee on State affairs.

By Mr. Mason: memorial of Geo. M. Dewey, relative to claim of the State against E. H. Hazelton & Co.

On motion of Mr. Mason,

The memorial was laid on the table, and was ordered printed in the journal.

The following is the memorial:

*To the Honorable Senate and House of Representatives of the State of Michigan:*

Your memorialist, George M. Dewey, of Flint, Michigan, respectfully represents:

He is one of the parties to a mortgage of fifty thousand dollars (\$50,000) given to the State, and referred to in the last message of the late Governor, the validity of which mortgage is at issue in suit now pending. On that mortgage, or rather, the indebtedness, was paid, as shown by last treasury report, page 5, \$30,377 86, and of other collaterals supposed to be paid, something in addition. The above \$30,000, and more, was received by the State, out of collaterals turned out *voluntarily* by your memorialist.

Your memorialist further shows he was opposed to the loan

by which such indebtedness was created; never received a farthing of the avails of the bonds; he is very much embarrassed in his circumstances, and mostly by reason of said mortgage; and has paid, as above, over half of said debt.

Believing that the state of this case has been much misapprehended, and desirous of arranging this claim, by compromise, so far as he is concerned, your memorialist further represents, that he confidently believes it will be found, on full examination, that the mortgage does not cover securities sufficient to satisfy the balance of the principal of said claim.

This your memorialist proposes to do, if the matter can be referred for final adjustment with him, to some board or officer of the State, leaving the State to collect through the mortgage, from lands mortgaged by Hazelton, such other sums as they may be entitled to.

Your memorialist, therefore, asks that it be referred to some board or officer, with authority to adjust the same, if, in their opinion, the above statements are true, and the interests of the State will be promoted thereby.

G. M. DEWEY.

February 18, 1869.

By Mr. Riopelle: petition of W. W. Wheaton, mayor of the city of Detroit, Hon. M. I. Mills and 30 others, citizens of Detroit, asking an appropriation for the benefit of the St. Mary's Hospital, of Detroit.

On motion of Mr. Riopelle,

The petition was referred to the committee on ways and means, and was ordered printed in the journal.

The following is the petition:

*To the Legislature of the State of Michigan:*

The undersigned, citizens of the city of Detroit, respectfully represent to your Honorable body that one of the most worthy charities in said city is the institution known as St. Mary's Hospital. That said institution is under the charge of the world-renowned community of women known as the Sisters of Charity. That the doors of said institution are open to all,



without regard to age, sex, religion or color. That the managers of said institution are desirous to make the same free to the poor, but that their limited resources do not permit them to do so. That they are continually obliged to deny the benefits of their hospital to residents of the interior of this State, and to persons coming from other States, who are too poor to pay for medical attendance.

We therefore humbly petition your Honorable body to make a small appropriation for said hospital, to enable the managers thereof to carry out their charitable desires, as above set forth.

|                       |                      |                     |
|-----------------------|----------------------|---------------------|
| Wm. W. Wheaton,       | A. D. Fraser,        | Croul Brothers,     |
| Mayor of Detroit,     | Edw. LeFavour,       | Wm. Fox, Jr.,       |
| M. I. Mills,          | E. A. Brush,         | C. J. O'Flynn,      |
| A. J. Ducharme,       | Wm. Duncan,          | Flattery & Bros.,   |
| C. H. Buhl,           | Francis Adams,       | C. N. Riopelle,     |
| Chas. Ducharme,       | Clement Lafferty,    | P. J. D. VanDyke,   |
| Z. R. Brockway,       | James F. Joy,        | Geo. W. VanDyke,    |
| F. Buhl,              | E. W. Jenks, M. D.,  | Ch's Peltier & Son, |
| T. H. Hinchman,       | H. A. & S. G. Wight, | Wm. R. Elliott,     |
| W. A. Moore,          | D. M. Richardson,    | Jno. D. Bradley,    |
| Campbell, Linn, & Co. | N. W. Brooke,        | Jas. W. Romeyn.     |

By Mr. Holt: memorial of the Michigan State Agricultural Society, praying that the money heretofore paid towards the erection of a museum building at Ypsilanti, be refunded to said society.

On motion of Mr. Holt,

The memorial was referred to the committee on ways and means, and ordered printed in the journal.

The following is the memorial:

*To the Legislature of the State of Michigan:*

The undersigned, in behalf of the Michigan State Agricultural Society, would respectfully represent, that in the year 1864, the said society, feeling the need of an agricultural museum in connection with their society, and believing that the time had arrived when they might safely enter upon such an enterprise, undertook, in connection with the State Board of Education, and the citizens of the city of Ypsilanti, to erect a suitable building for that purpose, upon the State Normal

School grounds, under an agreement with the State Board of Education, for the joint use and occupancy of such building as an Agricultural museum, and for Normal school purposes. That under such agreement the State Agricultural Society paid over to the State Board of Education, in the years 1864 and 1865, the sum of three thousand and four hundred dollars, which, together with some two thousand dollars raised by the citizens of Ypsilanti, and a larger amount advanced by the State Board of Education, was by said Board of Education expended in the erection of a brick building, upon the State Normal School grounds. Finding the amount required for the erection and completion of such building more than was anticipated, and owing to the largely increased premiums given by the society at its annual fairs, and unexpectedly small receipts at three successive State fairs, on account of unfavorable weather, the State Agricultural Society found itself unable, with due regard to future contingencies, to contribute further towards the completion of said museum building; and as said building was, in the estimation of the Board of Education, urgently demanded for the exclusive use of the State Normal School, provided such an appropriation could be obtained from the State as would enable them to finish and furnish the same for such use, the State Agricultural Society donated all the interest they had in the same to the State of Michigan, for the use of said Normal School, in full confidence that, should the merits of this Society become such as to require the reimbursement of the money so expended, the Legislature of the State of Michigan would, at any time, make the necessary appropriation.

That time has now arrived, and on behalf of such society, we respectfully ask your Honorable body to appropriate to said society the sum of three thousand and four hundred dollars, thus expended, and donated to the State for the use of the Normal School. We may, perhaps, not improperly allude to the fact that for many years the Legislature of the State of Michigan made annual appropriations to this society, of amounts varying from \$1,000 to \$4,000, to enable them to offer proper premiums

at their fairs, but that, for the past six or eight years, no appropriation has been asked for or made for this purpose. And we sincerely trust and believe we may reasonably expect that our present application will meet with favor at your hands.

W. G. BECKWITH,

W. J. BAXTER,

W. S. WILCOX,

*Committee.*

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution to submit amendments to section 7, of article 15, of the constitution of Michigan, in relation to liabilities of stockholders in joint stock corporations or associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brownell,

The joint resolution was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4751 of the compiled laws, in relation to attachments,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred "The memorial of the trustees of the Baptist society in the village of Greenville, Montcalm county, asking that their action in conveying certain real estate be legalized;"

Also,

"A bill to legalize the action of the trustees of the Baptist society in the village of Greenville, Montcalm county, in conveying certain real estate;"

Also,

"A bill to authorize the trustees of the First Methodist Episcopal church of Hastings, Barry county, to convey certain real estate,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the same be referred to the committee on religious and benevolent societies, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stewart,

The recommendation of the committee was concurred in, and the bills and memorial were referred to the committee on religious and benevolent societies.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to change the time of holding probate court in the county of Leelanaw;

Together with the petition of S. C. Moffatt and others, praying for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the said bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution instructing our members of Congress to use their influence in securing to Michigan Indians the right to locate and purchase certain lands, as provided by treaty with them, made in July and August, A. D. 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 70, being

A bill to provide for the payment of the salaries of the State officers for the years eighteen hundred and sixty-nine and eighteen hundred and seventy,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*

Report accepted and committee discharged.

On motion of Mr. L. Kendrick,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:..

The committee on internal improvements, to whom was referred

A bill authorizing the building of a dam across Norris creek, in Muskegon county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Romeyn,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing a State road in Tuscola county, and appropriating non-resident highway taxes for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 44, being

A bill to organize the county of Osceola,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 45, being

A bill to organize the township of Colfax, in the county of Oceana,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 74, being

A bill to change the name of the township of Reed, Oceana county, to that of Ferry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was recommitted House bill No. 39, entitled

A bill to enable any township or city to pledge their aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying substitute therefor, entitled

A bill to enable any township or city, to pledge their aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

Recommending that the substitute be concurred in, and that



the substitute do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was recommitted Senate bill No. 34, entitled

A bill to create a soldiers' aid fund for disabled Michigan soldiers, sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gifford,

The amendments made to the bill by the committee were concurred in.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to provide for the payment of Porter L. Swords, of the city of Adrian, Lenawee county, for furnishing money to certain volunteers credited to the township of Woodstock, in said county, to aid in the suppression of the rebellion,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers, who enlisted to fill the quota of said township under the last call of the President.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to amend and explain sections 8 and 9 of an act entitled "An act authorizing the payment of bounties to volunteers in the service of the United States," approved February 5, 1864,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill appropriating certain non-resident highway taxes, for the improvement of certain roads in the county of Gratiot;

Also,

A bill to provide for the incorporation of Father Mathew Total Abstinence, Benevolent Societies;

Also,

A bill to extend the time for the collection of taxes in the city of Jackson, for the year 1868.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on rules and joint rules:

The committee on rules and joint rules, to whom was referred the following resolution:

*Resolved*, That there be added to the rules of the House the following:

**RULE—**The use of the Chamber of the House of Representatives may be granted to the State Agricultural Society, the State Medical Society, and such other societies as are required by law to report to the Legislature. No application for the use of the Chamber for any other purpose, shall be entertained without the unanimous consent of the House,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. ELLIOTT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. J. A. Williams,

The resolution was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to enable married women to bar their rights of dower;

Also,

A bill to authorize the Auditor General to issue a new tax deed, in place of one lost,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the Agricultural College:

The committee on the Agricultural College, to whom was referred the memorial of Titus Dort, Jonathan Shearer, J. S. Tibbits and 47 others, in reference to the Agricultural College, have had the same under consideration, and beg leave to most respectfully report:

That the memorial is somewhat remarkable in its character. But when the facility with which petitions are manufactured is remembered, and the anecdote is recalled of the man who signed a petition that he himself be hanged, it is perhaps no longer strange that a paper of so much distortion and suppression of fact, and of such evident unkind *animus*, should have attached to it names so widely known, and so entirely respectable, as those of your memorialists. Your committee, therefore, have considered the memorial, not in the manner which its reckless statements would invite and warrant, but with that consideration due the highly respectable gentlemen whose names are affixed thereto.

Perhaps the leading feature of the memorial is the complaint that the Faculty of the College are not suitable men for the management of such an institution; that they "are strictly

literary and professional men;" that they "can have little or no sympathy with labor or the laborer," and who "never had any practical experience in the department of industry which the College was founded to promote." If this charge were true, it would seem that the State Board of Agriculture should have received the memorial, as they appoint and may dismiss this Faculty. But your committee believe the complaint to be wholly unjust and unfounded, indeed, the contrary is strictly true. "The President and principal Professors," though they have unfortunately failed to win the confidence of your memorialists, have secured that of the Michigan, Wisconsin and Cornell Universities. These institutions have offered them a handsome advance upon their present salaries to secure the same services that your memorialists deem so worthless. Under their management the Michigan Agricultural College has attained the very first rank among similar institutions in the United States. The literature of agricultural science is not without the most flattering commendations of these gentlemen and the College they have brought to its present enviable position. Gov. Blair, Gov. Crapo and Gov. Baldwin, have each and all borne the strongest and the highest testimony to the value and success of the College under its present management, and it is most confidently asserted, that those possessing the highest qualifications to judge, and most thoroughly familiar with the College, bestow upon it the highest encomiums.

The statement that "neither agriculture nor the mechanic arts have any proper representative at the College," is most certainly erroneous. The Professor of Agriculture has been nearly all his life a practical agriculturist, and is certainly a gentleman of eminence in his department, and is so regarded from Massachusetts to Iowa. Moreover, two farmers are employed by the Board, with special reference to their fitness as representatives of agriculture.

Another complaint of the memorial is, that the graduates of the College have not all engaged in agricultural pursuits. It is gravely charged that "one is a minister of the gospel," another

"a physician." An intelligent and highly cultured young gentlemen once left the senior class in the Michigan University, and became a teamster in the United States army. Who would think of impeaching the ability of the learned Faculty at Ann Arbor on that account?

But perhaps the most singular part of this memorial, is the complaint that, of the graduates, two are Principals in Universities in other States, and several others are Professors or assistants in the College where they graduated. Can it be considered any palliation of the crime of these recreant gentlemen, that they are all teaching the science of agriculture? How astounding would be the charge of not meeting the expectations of the State, brought against the University, that one of her graceless graduates in the law department, had so far forgotten the high obligations resting upon him, as to accept a professorship in a law college; or that a medical graduate was teaching instead of practicing medicine. The memorial might have made the equally damaging charge, that two of the graduates of the College entered the army, and there nobly sacrificed their lives upon the altar of their country's liberty. Of the thirty-four graduates of the College, ten received their diplomas last autumn; one of the ten has entered upon agricultural pursuits; of the intentions of the other nine in this regard, nothing is known. There are twenty-four others in all; two died in the army, and fifteen more are following pursuits entirely in accordance with the designs of the College; leaving seven who have perhaps strayed into the forbidden paths of medicine, theology, or general business. Considering how impracticable and undesirable it is to control the occupations of men when so much depends upon health, financial circumstances, or the changed tastes of matured manhood, it would seem that the course of these graduates, upon the whole, cannot be reasonably objected to. It is the experience of the Normal School and other institutions in this and other States, that no regulations can control this matter. How many men, all over the land, educate themselves at great expense, in time and

money, for the law or medicine, and then with or without brief practice, abandon their professions and engage in business pursuits? Your committee know of no remedy for this state of facts, and believe none is desirable.

The memorial complains that "a strictly literary man" presides over the College. It should be borne in mind that the student here is to receive a thorough English education, become well versed in the sciences of agricultural chemistry, animal anatomy, and others pertaining to agriculture; and also, to acquire that training and discipline of mind so indispensable to mental development and power. All this in the school-room in addition to that instruction which he receives in the fields, shops and gardens of the farm. No man can fail to see the necessity of "strictly literary" men in such an institution, as well as the "sound practical" men so desired by the memorialists. But the College is, in fact, well supplied with men, who unite in themselves both the "strictly literary" and "sound practical" qualities so indispensable.

The memorial further complains that no valuable practical information bearing upon the two great industrial interests of the State which it was founded to promote, has ever resulted therefrom. This assertion is a most unqualified mistake. The experiments made at the farm in agriculture, are extensively copied and published, and are most highly commended by men versed and interested in this science. And this is an extremely important branch of knowledge, but one which makes but little show, except to those interested. A single gentleman, in his own private agricultural operations, expends thousands of dollars per annum in experiments, and regrets that he cannot afford to expend \$15,000 a year upon them. If the experiments of the College were more widely published in our State and more extensively read, they would be of great value every year to the State.

The memorial charges that "the College is not meeting the expectations of the State." This is a broad subject, and cannot be fitly discussed in a brief report; but your committee are of

opinion, after much consideration given the subject, even long before this memorial was referred to them, that the College is meeting the enlightened expectations of the people of the State. The trouble with the College is, it is not understood. It is extensively decried, but its enemies in the main knew it years ago, or even not at all. Two of the most busy foes of the College in the whole State, have not visited it for several years. Mistakes have been made in its management and in its course of study; but as they have been developed they have been remedied, until it is confidently believed that the College is now well organized and well managed. Those who visit it almost uniformly express their surprise and gratification at the present state of the College. The State Board of Agriculture is composed of men of ability, experience, wisdom and integrity, and it is believed they will advance the College to even greater usefulness and success, if reasonably supported by the Legislature and the people of the State. The distinguished names of H. G. Wells, of Kalamazoo, J. W. Childs, of Washtenaw, A. Prutzman, of St. Joseph, S. O. Knapp, of Jackson, David Carpenter, of Lenawee, Justus Gage, of Cass, are a guarantee of wisdom, sagacity and integrity in the management of your College; and your committee believe that the time will surely come when the State Agricultural College will rank beside the University, in the pride and affection of the people of the State.

GEO. P. SANFORD, *Chairman.*

Report accepted and committee discharged.

The memorial was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 55, entitled

A bill to incorporate the village of Burlington;



## 2. Senate bill No. 61, entitled

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved Feb. 15, 1859, as amended by act No. 56, of the session laws of 1861, approved Feb. 20, 1861, and act No. 79, of the session laws of 1865, approved March 1, 1865, and act No. 391, of the session laws of 1867, approved March 22, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 19, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 89, entitled

A bill to amend act No. 129, of the session laws of 1867, approved March 27, 1867, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," by adding two new sections thereto, to stand as sections 3 and 4;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following joint resolution:

Senate joint resolution No. 5, entitled

Joint resolution to provide for applying the surplus funds in the State Treasury, in payment of the interest bearing bonds of the State,

Which the House amended by striking out in the first resolution, all after the word "General," in the second line; also, all in the third line to and including the word "law," and inserting in place thereof the words "on the 31st day of March, 1869;"

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. Holt,

The joint resolution was recommitted to the committee on ways and means.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 38, entitled

A bill granting the right of way through lands owned by the State, for a railroad in Menominee county,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 1, of section 2, after the words "mouth of Deer creek, on the," and after the word "Bay," the

words "in town thirty," and inserting in place thereof the words "or Bay de Noc;"

2. By striking out in line 3, of section 1, the words "six north, range twenty-four west, in the county of Menominee," also, by striking out the words "iron mines," and inserting in place thereof the words "deposits of iron ore;"

3. By striking out in line 4, of section 1, the words "in town thirty-nine north, of range twenty-nine west," and inserting in place thereof the words "in Menominee and Marquette counties;"

4. By inserting in line 7, of section 2, between the words "of" and "Menominee," the words "Marquette and;"

In the passage of which, as thus amended, the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |              |                           |
|---------------|--------------|---------------------------|
| Mr. Beall,    | Mr. Holt,    | Mr. Sanford,              |
| Blake,        | Horton,      | Shaw,                     |
| Bostwick,     | Hunt,        | Sheldon,                  |
| Boynnton,     | Huribut,     | Shier,                    |
| G. G. Briggs, | L. Kendrick, | Slayton,                  |
| Brownell,     | Kingsley,    | Smith,                    |
| Cameron,      | Lee,         | Stewart,                  |
| B. Clark,     | Lovell,      | Stockbridge,              |
| Cogshall,     | Mason,       | Swift,                    |
| Doty,         | McKernan,    | Vowles,                   |
| Dussean,      | Mead,        | Walker,                   |
| Eaton,        | Millington,  | Walton,                   |
| Eck,          | Mitchell,    | Ward,                     |
| Elliott,      | Osborn,      | Wendell,                  |
| Fenner,       | Riford,      | J. A. Williams,           |
| Fuller,       | Riopelle,    | W. D. Williams,           |
| Gay,          | Romeyn,      | Speaker <i>pro tem.</i> , |
| Harris,       |              |                           |

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to provide for paying expenses authorized to be incurred by the Legislature;

2. House bill No. 43, entitled

A bill to amend section 2, of chapter 42, of the compiled laws, relative to disorderly persons;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on enrolled bills, for enrollment.

The President *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 19, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 31, entitled

A bill to provide for the construction and management of the water works in the village of Marquette;

And to inform the House that the Senate has amended the same by striking out in lines 3 and 4, of section 1, the words "and their successors in office," and inserting the same words after the word "Wetmore," in line 2;

The Senate has also amended the title of the bill so as to read as follows:

"A bill to create a board of water commissioners in the village of Marquette, and to define its powers and duties;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. W. D. Williams moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

|               |              |                           |
|---------------|--------------|---------------------------|
| Mr. Beall,    | Mr. Holt,    | Mr. Seward,               |
| Blake,        | Horton,      | Shaw,                     |
| Bostwick,     | Hunt,        | Sheldon,                  |
| Boyn-ton,     | Hurlbut,     | Shier,                    |
| G. G. Briggs, | L. Kendrick, | Slayton,                  |
| Brownell,     | Kingsley,    | Smith,                    |
| Cameron,      | Lee,         | Stewart,                  |
| B. Clark,     | Lovell,      | Stockbridge,              |
| Cog-hall,     | Mason,       | Swift,                    |
| Doty,         | McKernan,    | Vowles,                   |
| Dusseau,      | Mead,        | Walker,                   |
| Eaton,        | Millington,  | Walton,                   |
| Eck,          | Mitchell,    | Ward,                     |
| Elliott,      | Osborn,      | Wendell,                  |
| Fenn-r,       | Putnam,      | J. A. Williams,           |
| Fuller,       | Riford,      | W. D. Williams,           |
| Gay,          | Riopelle,    | Speaker <i>pro tem.</i> , |
| Harris,       | Romeyn,      | 53                        |

NAYS.

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The amendment made to the title was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

## INTRODUCTION OF BILLS.

Mr. Romeyn, unanimous consent being given, introduced  
A bill to define the title to lands conveyed by the Auditor General.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sanford, unanimous consent being given, introduced  
A bill to amend an act entitled "An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts;

Also,

A bill to amend section 150 of chapter 117, of the compiled laws, relative to the stay of execution in justices' courts.

The bills were read a first and second time by their titles, and referred to the committee on the judiciary.

Mr. Stewart, unanimous consent being given, introduced  
Joint resolution relative to the distribution of the laws, journals and joint documents of the session of the Legislature, of the year A. D. 1869.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riford, unanimous consent being given, introduced  
A bill to amend an act entitled "an act to incorporate the village of St. Joseph," approved March 17, 1834, and the acts amendatory thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Blake, unanimous consent being given, introduced  
A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. G. G. Briggs, unanimous consent being given, introduced  
A bill to authorize conductors of railroad corporations, while in charge of passenger trains, to perform the duties of special policemen, for the arrest of criminals and other offenders.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hunt, unanimous consent being given, introduced

A bill to provide for the building and maintaining of bridges across meandered streams, by general tax.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Boynton, unanimous consent being given, introduced

A bill to amend section 3, of act No. 207, of the session laws of 1865, being an act to amend section 1468, in chapter 40, of the compiled laws, it being section 3, of chapter 2, title 9, part 1, of the revised statutes of 1838, relative to the election of superintendents of the poor.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 216, of the session laws, A. D. 1861, as amended by act 127, of the session laws of 1867, entitled "An act to provide for the draining of swamps, marshes and other low lands," by adding thereto one new section, to stand as section 28.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr Mitchell, unanimous consent being given, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Torch Lake to Thunder Bay, and asking for an appropriation of swamp land for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Horton, unanimous consent being given, introduced

Joint resolution in relation to the claim of the State against E. H. Hazelton & Co.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Fenner, unanimous consent being given, introduced

A bill to provide for grading the hills between Elm Creek and Blue Ledge, on the Port Austin and Sanilac State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

M. Eaton, unanimous consent being given, introduced

A bill to amend section 49 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, being section 1993 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Horton, unanimous consent being given, introduced

A bill to repeal an act to incorporate the Flint and Fenton-plank road company, approved April 30, 1848.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Riford, unanimous consent being given, introduced

A bill to re-incorporate the village of Benton Harbor.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Romeyn, unanimous consent being given, introduced

A bill to amend section 12, of chapter 5, of an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Boynton, unanimous consent being given, introduced

A bill to amend an act entitled "an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in the county of Shiawassee," approved March 18, 1865.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Romeyn, unanimous consent being given, introduced



A bill to amend section 1, of chapter 2, of an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Smith, unanimous consent being given, introduced

A bill to confirm to the Grand Rapids and Indiana railroad, certain lands granted to said corporation, in aid of the construction of its road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Boynton, unanimous consent being given, introduced

A bill to amend section 12, of act No. 208, of the session laws of 1867, entitled "An act to amend an act entitled 'An act for the incorporation of insurance companies, and defining their powers and duties,'" approved Feb. 15, 1859, as amended by the several acts amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Shaw, unanimous consent being given, introduced

A bill for the protection of the fish in the lakes known as Devil's Lake and Round Lake, in Lenawee county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Wendell, unanimous consent being given, introduced

Joint resolution asking Congress for a grant of land to aid the construction of a railroad from Little Traverse Bay via Old Mackinaw, on the straits of Mackinaw, to Marquette, on Lake Superior;

Also,

Joint resolution asking Congress for an appropriation of money for the improvement of Mackinaw harbor.

The joint resolutions were read a first and second time by their titles, and referred to the committee on federal relations.

Mr. Wendell, unanimous consent being given, introduced

A bill to amend act No. 350, of the session laws of 1865,

Mr. Fenner, unanimous consent being given, introduced

A bill to provide for grading the hills between Elm Creek and Blue Ledge, on the Port Austin and Sanilac State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

M. Eaton, unanimous consent being given, introduced

A bill to amend section 49 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, being section 1993 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Horton, unanimous consent being given, introduced

A bill to repeal an act to incorporate the Flint and Fentonville plank road company, approved April 30, 1848.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Riford, unanimous consent being given, introduced

A bill to re-incorporate the village of Benton Harbor.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Romeyn, unanimous consent being given, introduced

A bill to amend section 12, of chapter 5, of an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Boynton, unanimous consent being given, introduced

A bill to amend an act entitled "an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in the county of Shiawassee," approved March 18, 1865.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Romeyn, unanimous consent being given, introduced

A bill to amend section 1, of chapter 2, of an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Smith, unanimous consent being given, introduced

A bill to confirm to the Grand Rapids and Indiana railroad, certain lands granted to said corporation, in aid of the construction of its road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Boynton, unanimous consent being given, introduced

A bill to amend section 12, of act No. 208, of the session laws of 1867, entitled "An act to amend an act entitled 'An act for the incorporation of insurance companies, and defining their powers and duties,'" approved Feb. 15, 1859, as amended by the several acts amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Shaw, unanimous consent being given, introduced

A bill for the protection of the fish in the lakes known as Devil's Lake and Round Lake, in Lenawee county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Wendell, unanimous consent being given, introduced

Joint resolution asking Congress for a grant of land to aid the construction of a railroad from Little Traverse Bay via Old Mackinaw, on the straits of Mackinaw, to Marquette, on Lake Superior;

Also,

Joint resolution asking Congress for an appropriation of money for the improvement of Mackinaw harbor.

The joint resolutions were read a first and second time by their titles, and referred to the committee on federal relations.

Mr. Wendell, unanimous consent being given, introduced

A bill to amend act No. 350, of the session laws of 1865,

entitled "An act to protect fish, and preserve the fisheries of this State," and to stand as sections 10 and 11 of said act.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Wendell, unanimous consent being given, introduced

A bill to organize the county of Charlevoix.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Wendell, unanimous consent being given, introduced

A bill to detach the county of Emmet from the 13th judicial circuit, and attach the same to the 11th judicial circuit.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, unanimous consent being given, introduced

A bill to organize the township of Baraga.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. McKernan, unanimous consent being given, introduced

A bill to organize the township of Ashbury.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. McKernan, unanimous consent being given, introduced

A bill to organize the county of L'Anse.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. McKernan, unanimous consent being given, introduced

A bill to legalize the tax roll of the township of Sibley, in the county of Keweenaw, for the year 1868, and to extend the time for the collection of taxes of said township.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to provide for the construction of a ditch to drain (partially) Scott lake, and the adjacent swamp lands, in the county of Van Buren.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to authorize any township or city in either of the counties of Allegan, Van Buren and Barry, to vote aid to railroads.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Wendell, unanimous consent being given, introduced

A bill to amend act No. 244, of the session laws of 1865, entitled "An act to incorporate the village of Mackinac."

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, unanimous consent being given, introduced

A bill to carry out the purposes of Congress in granting lands for the construction of a ship canal from Portage Lake to Lake Superior.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Eaton, unanimous consent being given, introduced

A bill to amend the charter of the city of Jackson.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Eaton, unanimous consent being given, introduced

A bill to authorize the formation of companies for the construction of water works in and for incorporated cities and villages, to authorize such cities and villages to subscribe stock in such companies, and to issue and sell bonds, and levy taxes for the payment thereof.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Beall, unanimous consent being given, introduced

A bill to amend section 195, of chapter 117, of the compiled laws, relative to appeals from justices' courts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Ward, unanimous consent being given, introduced

A bill to protect the citizens of Michigan from empiricism, and elevate the standing of the medical profession.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mead, unanimous consent being given, introduced

A bill to amend section 4581 of the compiled laws, being section 28, of chapter 134, relative to the action of ejectment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### THIRD READING OF BILLS.

On motion of Mr. Mead,

The order of third reading was passed over.

#### MOTIONS AND RESOLUTIONS.

Mr. Riopelle moved to discharge the committee of the whole from the further consideration of House bill No. 109, entitled

A bill to prohibit, discourage and punish prize fighting within the State of Michigan;

Which motion did not prevail.

Mr. Stockbridge moved to discharge the committee of the whole from the further consideration of House bill No. 79, entitled

A bill to legalize the special township meeting of the township of Saugatuck, in the county of Allegan, held in said township January 22d, A. D. 1869;

Which motion prevailed.

On motion of Mr. Stockbridge,

The bill was placed on the order of third reading.

Mr. Boynton moved to discharge the committee of the whole from the further consideration of House bill No. 104, entitled

A bill to amend act No. 246, of the session laws of 1867, being an act to amend an act entitled "an act to connect the Duncan, Alpena and Sauble river State road, with the East

Saginaw and Sauble river State road," by adding one new section thereto, to stand as section five;

Which motion prevailed.

On motion of Mr. Boynton,

The bill was placed on the order of third reading.

Mr. Riopelle moved to discharge the committee of the whole from the further consideration of House bill No. 36, entitled

A bill to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and for the recorder's, or municipal court of the city of Detroit;

Which motion prevailed.

On motion of Mr. Riopelle,

The bill was recommitted to the committee on the judiciary.

Mr. Swift moved to discharge the committee of the whole from the further consideration of House bill No. 39, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

Which motion prevailed.

On motion of Mr. Swift,

The bill was made the special order for to-morrow afternoon, at 2 o'clock.

Mr. Brownell moved that the House adjourn;

Which motion did not prevail.

On motion of Mr. Shier,

The House took a recess until two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Mr. Hurlbut asked and obtained leave of absence for Mr. Goodrich, for the day.

Mr. Baxter asked and obtained leave of absence for Mr. Rowison, for the day.

Mr. Lee, offered the following:

*Resolved*, In honor of the day, that the Clerk of this House be instructed to read Washington's Farewell Address;

Which was adopted.

The Clerk then proceeded to read the Farewell Address of Washington.

At the conclusion of the reading, Mr. Cogshall offered the following:

*Resolved*, That the thanks of this House are due, and are hereby tendered, to N. B. Jones, Clerk of the House, for the able manner in which he read Washington's Farewell Address, in pursuance of resolution;

Which was adopted.

Mr. Plimpton, by unanimous consent, introduced

A bill to incorporate the village of New Buffalo.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Klein, by unanimous consent, introduced

A bill to rescind the powers of the corporation known as the Michigan Furniture Company, and to provide for winding up its affairs in pursuance of article 1823, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Miller, by unanimous consent, introduced

A bill to incorporate the village of New Haven, in the county of Macomb.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, by unanimous consent, moved to take from the table the memorial of George M. Dewey, relative to the claim of the State against Hazelton & Co.;

Which motion prevailed.

On motion of Mr. Mason,

The bill was referred to the committee on ways and means.



## GENERAL ORDER.

On motion of Mr. Cameron,

The House went into committee of the whole, on the general order.

Mr. Smith in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following bills:

1. House bill No. 85, entitled

A bill for the protection of fish in the waters of the inland lakes and streams of the county of Kalamazoo;

2. House bill No. 87, entitled

A bill to amend section 5, of chapter 185, being section 5860 of the compiled laws;

3. House bill No. 88, entitled

A bill to change the name of Albert Jennings, Jr., to Albert Spear Hitchcock, and to make him the heir-at-law of John S. Hitchcock, and Elizabeth P. Hitchcock.

4. House bill No. 92, entitled

A bill to prevent trespass upon cranberry marshes;

5. House bill No. 93, entitled

A bill to amend section 15, of an act entitled "an act to provide for the incorporation of villages," approved February 17, 1857, being section 2112 of the compiled laws;

6. House bill No. 95, entitled

A bill to provide for the laying out and establishing the Juniata branch of the Port Sanilac and Tuscola State road;

7. House bill No. 96, entitled

A bill to organize the township of Mayfield, in the county of Lapeer;

8. House bill No. 98, entitled

A bill to authorize the electors of the township of Bennington, in the county of Shiawassee, to raise by tax a sum not exceeding three hundred dollars, to pay George W. Hunt on account of enlisting in the military service of the United States,

and being credited on the quota of said township on the draft of 1864;

9. Senate bill No. 54, entitled

A bill to regulate the manufacture and provide for the inspection of salt,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

10. House bill No 97, entitled

A bill to delocalize State swamp land appropriations heretofore made for drainage and reclamation, by means of State roads and ditches;

11. House bill No. 101, entitled

A bill to amend sections 10 and 17, of act number 163, of session laws of 1861, being an act relative to laying out, altering or discontinuing highways;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

12. House bill No. 102, entitled

A bill to prevent animals from trespassing;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill:

13. House bill No. 99, entitled

A bill to amend act No. 55, of the session laws of 1864, by substituting for section 2 of said act, a new section, to stand as section 2 of the act, making an additional appropriation of swamp lands;

Have instructed their chairman to report the same back to the House without action.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

The first nine named bills were placed on the order of third reading.

On motion of Mr. McKernan,

The House concurred in the amendments made to the tenth and eleventh named bills, and they were placed on the order of third reading.

On motion of Mr. Shier,

The House concurred in the action of the committee in striking out all after the enacting clause of the twelfth named bill.

Mr. Sanford moved to lay the enacting clause on the table;

Which motion prevailed.

On motion of Mr. McKernan,

The thirteenth named bill was recommitted to the committee on public lands.

On motion of Mr. Boynton,

The House adjourned until to-morrow morning at 9 o'clock.

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*Lansing, Tuesday, February 23, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Baldwin.

Roll called: quorum present.

Absent without leave: Messrs. Grant, F. G. Kendrick, McCowen, Vowles and Weier.

#### PRESENTATION OF PETITIONS.

By Mr. Miller: petition of Franklin W. Wooley, Andrew J. Ross and 16 others, soldiers and sailors, in relation to bounties.

Referred to the committee on military affairs.

By Mr. Eaton: petition of W. K. Gibson, H. D. Smith and 186 others, praying for an amendment of an act entitled "An

act to amend section 2 of an act to provide for the protection of game in the State of Michigan," being act number 236, of session laws of 1863.

Referred to the committee on State affairs.

By Mr. Westover: petition of Henry Raymond, S. C. Wilson and 25 others, praying for the amendment of union school act of Bay City.

On motion of Mr. Westover,

The petition was laid on the table.

By Mr. R. V. Briggs: petition of Frederick Campan, Jonathan Hudson, E. A. Parsons, Louis Cicotte and 50 others, citizens of Wayne and Monroe counties, asking for an appropriation to build a bridge across the Huron river.

Referred to the committee on public lands.

By Mr. Davis: remonstrance of Foster Tucker and 34 others, citizens of the town of Grand Rapids, against amending the charter of the city of Grand Rapids, so as to allow the aldermen of each ward to sit as members of the county board of supervisors;

Also: remonstrance of W. J. Atkins and 62 others, citizens of the town of Grattan, against the same;

Also: remonstrance of Lucas J. Robinson and 62 others, voters of Kent county, against the same.

Referred to the committee on banks and incorporations.

By Mr. Murray: petition of John B. Colton and 41 others, citizens of Kent county, to amend the general plank road law.

Referred to the committee on banks and incorporations.

By Mr. Walton: petition of J. B. Galloway and 19 others citizens of Lenawee county, soldiers of Michigan in the late war, asking for additional bounties.

Referred to the committee on military affairs.

By Mr. Newman: petition of Albert Fox and 80 others, for the laying out of a State road in Isabella county.

Referred to the committee on public lands.

By Mr. Crossman: remonstrance of J. S. Pierson and 41

others, tax-payers of Onondaga, Ingham county, against changing the location of the bridge across Grand River.

Referred to the committee on roads and bridges.

By Mr. Brownell: petition of L. H. Congdon, Abram Maxfield and 45 others, citizens of Lapeer county, asking that the action of the school inspectors of the township of Marathon, in said county, in relation to district No. 6, in said town, be legalized and declared valid in law.

Referred to the committee on education.

By Mr. Lane: petition of P. C. Andre and 25 others, asking for an appropriation of swamp land to build a State road in the town of Kochville, in the county of Saginaw.

Referred to the committee on public lands.

By Mr. F. G. Kendrick: petition of James Whitney and 120 others, asking to restore section 36 of the township of Warren, to the township of Erie, in the county of Macomb.

Referred to the committee on towns and counties.

By Mr. Lane: remonstrance of the board of supervisors of Saginaw county against the increase of representation in the board of supervisors of Saginaw county, from the city of East Saginaw.

Referred to the committee on banks and incorporations.

By Mr. Hubbard: petition of E. K. Sparks, Z. Patterson and 164 others, asking for the passage of a law abolishing corporeal punishment in the State prison at Jackson.

Referred to the committee on State Prison.

By Mr. Gay: petition of A. D. Waddell and 76 others, residents of Howell, Livingston county, praying for the passage of a law granting a State bounty of \$100 to such soldiers as have never received a State bounty.

Referred to the committee on military affairs.

By Mr. Sanford: memorial of George F. Strong, for changing the name of Eva E. Strong.

Referred to the committee on State affairs.

By Mr. Dusseau: petition of A. J. Keeney, R. G. Kelly and 40 others, tax-payers of the township of Erie, county of Mon-

roe, asking the passage of an act to enable them to vote money and issue bonds for the purpose of building a free-stone, or plank road.

On motion of Mr. Dussean,

The petition was referred to the committee on local taxation, and was ordered printed in the journal.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned, taxable inhabitants of the township of Erie, in Monroe county, respectfully petition your Honorable bodies to pass an act to enable the electors of said township to vote a tax for the purpose of building stone or plank roads in said township.

|                     |                    |                    |
|---------------------|--------------------|--------------------|
| A. J. Keeney,       | Wm. Ruth,          | B. Y. Darling,     |
| R. G. Kelly,        | Isaac Pread,       | E. W. Hilton,      |
| John Weeman,        | Jules Manos,       | T. T. Teall,       |
| P. D. Seager,       | Hubard Lavey,      | A. Leoned,         |
| Joseph Barraclough, | Eli Dussean,       | Theopelas Basieu,  |
| John McDonald,      | Charles Turner,    | Thos. J. Thompson, |
| Charles Dohm,       | Isaac W. Hathaway, | Samuel Dussean,    |
| Peter J. Robedean,  | George Reefer,     | Elias Jacobs,      |
| Stephen Jacob,      | R. G. Case,        | Ch. Thomas,        |
| E. W. Hedges,       | E. A. Roberge,     | Christian Bowman,  |
| D. E. Robert,       | Carry Jott,        | R. W. Brigham,     |
| Victor Lucia,       | Antoine Roe,       | W. W. Delphey,     |
| Ed. Marre,          | John Hall,         | W. R. Gifford,     |
| C. Hertzler,        | Nelson Gregry,     | I. C. Couseno.     |

Br Mr. Hurlbut: remonstrance of the bar of Van Buren county, against the passage of Senate bill No. 27.

On motion of Mr. Mead,

The remonstrance was referred to the committee on the judiciary, and was ordered printed in the journal.

The following is the remonstrance:

*To the Honorable, the House of Representatives of the State of Michigan:*

The undersigned, members of the bar of Van Buren county, would most respectfully, but earnestly, remonstrate against the passage by your Honorable body, of Senate bill No. 27, for the reorganization of certain judicial circuits in this State, whereby

Van Buren county is to be detached from the ninth judicial circuit, now composed of the counties of Allegan, Kalamazoo and Van Buren, and attached to the second judicial circuit, to be composed of the counties of Cass, Berrien and Van Buren.

And we would respectfully show, for your consideration, that, in 1851, the county of Van Buren, together with the counties of Allegan, Kalamazoo, Calhoun and Eaton, were organized into the fifth judicial circuit, and so remained, with the exception of Allegan county, until 1867, a period of sixteen years. In 1867, by act No. 15, the fifth and other judicial circuits were so reorganized that the counties of Allegan, Kalamazoo and Van Buren were constituted the ninth circuit.

We would further represent, that during this long number of years, extensive and important business relations have grown up and now exist between the counties composing the ninth judicial circuit, especially between the counties of Van Buren and Kalamazoo, while there are little or no business relations existing between the county of Van Buren and the county of Cass or Berrien.

That the county seats of Allegan, Kalamazoo and Van Buren counties are in railroad communication with each other, while there is no such communication existing between the county seats of the proposed second judicial circuit, to be composed of Cass, Berrien and Van Buren counties.

And lastly, we would represent that the wants of the ninth judicial circuit do not demand, in our opinion, a division of its territory.

Hoping that the reasons herein given for this remonstrance may be sufficient to induce your honorable body to not pass said bill, so far as affects the ninth judicial circuit, your petitioners will ever pray, &c.

Dated February 17th, A. D. 1869.

|                   |                  |                 |
|-------------------|------------------|-----------------|
| A. H. Herron,     | Thos. O. Ward,   | Geo. W. Lawton, |
| S. H. Blackman,   | J. G. Parkhurst, | J. E. Barnum,   |
| Jno. R. Baker,    | Newton Foster,   | A. H. Chandler, |
| C. Richards,      | John Bryton,     | H. M. Lillie,   |
| J. W. Huston,     | Lester A. Tabor, | D. M. Phillips. |
| T. H. Stephenson, |                  |                 |

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 27, entitled

A bill to reorganize the second and create the fifteenth judicial circuit,

Together with the various petitions, memorials and remonstrances relating to the same,

Respectfully report that they have had the same under consideration, and the majority of the committee have directed me to report the same back to the House, with the accompanying amendment to the bill, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

Leave was granted to the minority of the committee to submit the following report:

The committee on the judiciary, to whom was referred Senate bill No. 27, entitled

A bill to reorganize the second and create the fifteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have found themselves unable to agree. The undersigned begs leave to submit the following minority report: That the bill be reported back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do not pass, and ask to be discharged from the further consideration of the subject.

E. M. PLIMPTON,

*One of the Committee on the Judiciary.*

On motion of Mr. Stewart,

The House concurred in the amendment made to the bill by the committee.



The bill was then referred to the committee of the whole and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

A bill to amend section 535 of the compiled laws, relating to the canvass of votes in townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DANIEL L. CROSSMAN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held the 6th day of February, 1869, in locating the site for a bridge across Grand river, in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Crossman,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the building and maintaining of bridges across meandered streams by, general tax,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without recommendation, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

Mr. Stockbridge moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Stewart,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee, river in said county, by issuing the bonds of said township, and to provide for the payment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was recommitted House bill No. 99, entitled

A bill to amend act No. 55, of the session laws of 1864, by substituting for section 2 of said act, a new section, to stand as section 2 of the act, making an additional appropriation of swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying substitute therefor, entitled

A bill making an appropriation of two additional sections of State swamp lands, to secure the completion of the Ionia and

Ingham State road, established under act No. 55, session laws, 1864;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors, to whom was referred

A bill to amend sections four and seven of an act entitled "an act to authorize the township of Holland, and other townships in the counties of Ottawa and Allegan, to make loans and levy taxes for the improvement of the harbor at the mouth of North Black river, in Ottawa county, approved March 2d, 1858,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. MILES, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Sibley, in the county of Keweenaw, for the year 1868, and to extend the time for the collection of taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to provide for laying out, establishing and constructing a State road in the county of Alcona, and to appropriate certain non-resident highway taxes to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boynton,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Minor Kellogg, John Dean and 38 others, citizens of Leelanaw and Grand Traverse counties, asking for an amendment to section 2, act 162, of the session laws of 1867, in reference to the imprisonment of parties in civil suits,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to amend act No. 66, of the session laws of 1867, approved March 20, 1867, relative to shutes in mill dams, &c.,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred the petition of B. W. Wilcox, Chas. Crofoot and 27 others, citizens of Lenawee county, asking the passage of an act for the protection of fish in certain lakes in Lenawee county;

Also,

A bill for the protection of fish in the lakes known as Devil's lake and Round lake, in Lenawee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "An act to incorporate the village of Albion," approved February 9, 1855, and the acts amendatory thereto;

Also, a petition of the common council of said village, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 59, entitled

A bill to repeal act No. 397, session laws of 1867, increasing tolls on plank roads in the counties of Bay, Clinton, Gratiot and Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend act No. 397, of the session laws of 1867, entitled "an act to amend act No. 301, of the session laws of 1865, being an act entitled "an act to regulate the tolls on

plank roads in Bay, Clinton, Gratiot and Saginaw counties," by adding thereto a new section, to be known as section 2 of said act;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Shaw,

The House concurred in the adoption of the substitute reported by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

|               |                 |                 |
|---------------|-----------------|-----------------|
| Mr. Ashley,   | Mr. Horton,     | Mr. Riopelle,   |
| Avery,        | Hubbard,        | Rowlson,        |
| Baxter,       | Hunt,           | Sanford,        |
| Blake,        | Hurlbut,        | Seward,         |
| Bostwick,     | Huston,         | Shaw,           |
| Boynton,      | Hutchinson,     | Sheldon,        |
| G. G. Briggs, | Ingersoll,      | Slayton,        |
| R. V. Briggs, | L. Kendrick,    | Stannard,       |
| Brownell,     | F. G. Kendrick, | Stewart,        |
| B. Clark,     | Kingale,        | Stockbridge,    |
| Cogshall,     | Lane,           | Swift,          |
| Crane,        | Mason,          | Ternes,         |
| Crossman,     | McKernan,       | Thompson,       |
| Curry,        | Mead,           | Walton,         |
| Davis,        | Miles,          | Wendell,        |
| Doty,         | Miller,         | Westover,       |
| Duseau,       | Millington,     | White,          |
| Eaton,        | Mitchell,       | Wilcox,         |
| Eck,          | Murray,         | H. G. Williams, |
| Fenner,       | Newman,         | J. A. Williams, |
| Fuller,       | Purcell,        | W. D. Williams, |
| Gay,          | Putnam,         | Woodard,        |
| Gifford,      | Riford,         | Speaker,        |
| Goodrich,     |                 |                 |



## NAYS.

|              |             |              |    |
|--------------|-------------|--------------|----|
| Mr. O Clark, | Mr. Lovell, | Mr. Sickels, |    |
| Harris,      | Mandigo,    | Wagner,      |    |
| Klein,       | Plimpton,   | Walker,      |    |
| Lee,         | Romeyn,     | Ward,        | 12 |

Pending the announcement of the vote,

Mr. Gifford moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as above recorded.

Title agreed to.

On motion of Mr. Curry,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect on the first Monday in March.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred

A bill to authorize booming companies to use certain lands for booming purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with sundry amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

G. H. FENNER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Portsmouth,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying amendments, recommending that

the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Slayton,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5, of the revised statutes of 1846, the same being section 3303, of the compiled laws of 1857, relative to the custody of minor children,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 2871, of the compiled laws, relative to the right of married women to act as executrix in certain cases;

Also, the petition of Thos. H. Stephenson, asking for an amendment of section 2871, of the compiled laws, in regard to the rights of executrix in certain cases;

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of H. A. Wetmore, H. C. Hodge, Wm. F. Goodwin and 96 others, asking for a law extending the jurisdiction of justices of the peace in justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the prayer of the petitioners ought not to be granted, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Plimpton,

The petition was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

MICHIGAN STATE LAND OFFICE, }  
Lansing, Feb. 19, 1869.

*To the Honorable House of Representatives:*

GENTLEMEN—I have the honor to acknowledge the receipt of a copy of the following resolution, to-wit:

*Resolved*, That the Commissioner of the State Land Office is hereby requested to transmit to this House all information that he may have in his possession relative to the claim of Wellington R. Burt, the same being in reference to the issue of patents for certain lands.

And in reply I would respectfully submit the following, viz:

It appears, from the records in the office of the Swamp Land Road Commissioner, that Wellington R. Burt, on the 2d day of

July, A. D. 1862, entered into a contract with the State for the construction of section No. 2, of the Saginaw and Gratiot State road, being for the construction of one mile of said road, and by the terms of which contract, the work provided for therein was to be fully completed on or before Dec. 1st, 1863. On this contract Mr. Burt was entitled, upon the completion of his work, to 550 acres of swamp lands in the Lower Peninsula, with the right of reservation as provided by law. It also appears, from a reference to the plat books of this office, that on the 10th day of July, 1862, the lands referred to in the petition of Mr. Burt, now before your Honorable body, were reserved upon the plat book, and a memorandum in pencil entered upon the margin. 560 acres were thus reserved, and an additional amount of 160 acres was afterwards marked upon the same plat, upon an order from one Sias, but no new marginal reference was made, all of the lands being on the same plat. It also happened that the firm of Burt & Brothers had quite extensive reservations upon other contracts in the same town, with similar marginal references, and in both cases the separate descriptions of land were designated by the letter B. or Burt.

In July, 1868, the Board of Control canceled the contracts on which Burt & Brothers had made their reservations, thereby returning the lands reserved by them to market. On the sixth day of August following, Messrs. Heather & Allison, learning that the Burt lands were released, applied to purchase the same, including in their application, the lands reserved to Wellington R. Burt. This application was made to Mr. E. H. Porter, deputy in this office, and who had charge of the business at that time, and who informs me, that upon referring to the plat book, he found the lands reserved as above designated, and supposed that such reservations were one and the same, and that the firm of Burt Brothers included W. R. Burt; and through such mistake, patented the lands of W. R. Burt, supposing them to be properly in market, through the cancellation of the contracts.

As soon as the error was discovered, an effort was made to

procure a return of the patent, for the purpose of correcting the error, but without success.

I would further state, (not for the purpose of prejudicing in any manner the claim of the petitioner, but that the entire case may be before the Legislature,) that although the contract was made in July, 1862, as before stated, the acceptance of the work under the same was not approved, and did not reach this office until October 7, 1868.

It is also due to the Legislature, that I should state in this connection, that the lands for which Mr. Burt makes application in his petition, are lands not now in market—never having been offered at public auction, as provided by law.

The above statement, I believe, covers all the material points in the case, and which I trust is sufficiently explicit.

Very respectfully,

Your obedient servant,

B. D. PRITCHARD, *Commissioner*.

The communication was referred to the committee on public lands.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 22, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 66, entitled

A bill to authorize the Young Men's Society of Saginaw to change the name thereof;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 22, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize certain taxes of the townships of Zeeland, Blendon, Georgetown and Jamestown, in the county of Ottawa, for the year 1868,

And to inform the House that the Senate has amended the same, by inserting before the word "valid," in line 12, the word "as," and after the same word, the words "as though the patents for said lands had been duly issued to the parties legally entitled thereto;"

Also, by adding the following, to stand as section 2 of the bill:

"Sec. 2. On said taxes being reported by the county treasurer to the Commissioner of the State Land Office, as unpaid, said Commissioner shall charge them against said lands respectively, and require payment thereof before patents for said lands are issued; and the taxes so paid shall be returned to the treasurer of Ottawa county, to be placed to the credit of the drainage fund of said county;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Holt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

|             |                 |                 |
|-------------|-----------------|-----------------|
| Mr. Ashley, | Mr. Horton,     | Mr. Rowlson,    |
| Avery,      | Hubbard,        | Sanford,        |
| Baxter,     | Huston,         | Shaw,           |
| Beall,      | Hutchinson,     | Sheldon,        |
| Blake,      | Ingersoll,      | Shier,          |
| Bostwick,   | L. Kendrick,    | Sickels,        |
| Boynton,    | F. G. Kendrick, | Slayton,        |
| Cameron,    | Kingsley,       | Stannard,       |
| B. Clark,   | Klein,          | Stewart,        |
| O. Clark,   | Lane,           | Stockbridge,    |
| Cogshall,   | Lovell,         | Swift,          |
| Crane,      | Mason,          | Ternes,         |
| Crossman,   | McKernan,       | Thompson,       |
| Curry,      | Mead,           | Wagner,         |
| Davis,      | Miles,          | Walker,         |
| Doty,       | Miller,         | Walton,         |
| Dusseau,    | Millington,     | Ward,           |
| Eek,        | Mitchell,       | Wendell,        |
| Elliott,    | Murray,         | Westover,       |
| Fenner,     | Newman,         | White,          |
| Fuller,     | Plimpton,       | H. G. Williams, |
| Gay,        | Purcell,        | J. A. Williams, |
| Gifford,    | Putnam,         | W. D. Williams, |
| Goodrich,   | Riford,         | Yawkey,         |
| Harris,     | Riopelle,       | Speaker,        |
| Holt,       | Romeyn,         |                 |

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## NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 22, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 65, entitled

A bill to change the name of the first Congregational Church and Society of Raisin, being in the county of Lenawee, and State of Michigan, to the first Presbyterian Church and Society of Raisin;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 22, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 57, entitled

A bill to authorize the village of South Saginaw to raise by tax, money to build a station house for the use of said village;

And to inform the House that the Senate has amended the same by striking out in line 5, of section 2, the words "to be raised in any one year;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Lane moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Cameron,  
B. Clark,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
L. Kendrick,  
Kingsley,  
Klein,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Stewart,  
Stockbridge,  
Swift,



|           |             |                 |
|-----------|-------------|-----------------|
| O. Clark, | Lane,       | Ternes,         |
| Crane,    | Lee,        | Thompson,       |
| Crossman, | Lovell,     | Wagner,         |
| Curry,    | Mason,      | Walker,         |
| Davis,    | McKernan,   | Walton,         |
| Doty,     | Miles,      | Ward,           |
| Dusseau,  | Miller,     | Wendell,        |
| Eaton,    | Millington, | Westover,       |
| Eck,      | Mitchell,   | H. G. Williams, |
| Fenner,   | Murray,     | J. A. Williams, |
| Fuller,   | Newman,     | W. D. Williams, |
| Gay,      | Osborn,     | Woodard,        |
| Gifford,  | Purcell,    | Yawkey,         |
| Goodrich, | Romeyn,     | Speaker,        |
| Holt,     | Sanford,    |                 |

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## NAYS.

Mr. R. V. Briggs, Mr. Harris, Mr. White, 3

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 22, 1869. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill:

House bill No. 27, entitled

A bill to define the powers of highway commissioners in certain cases,

And to inform the House that the Senate has amended the same as follows:

1. By striking out all of section 1, after the word "authorized," in line 5;

2. By striking out all of section 2;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Swift,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 22, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 79, entitled

A bill to provide for taxing the property of Masonic and Odd Fellows' Lodges, and other benevolent societies;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

#### INTRODUCTION OF BILLS.

Mr. Miller, unanimous consent being given, introduced

A bill to amend sections 1, 6, 11 and 20, of an act entitled "An act to incorporate the village of Mount Clemens," approved April 4th, 1841.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Baxter, unanimous consent being given, introduced

A bill to incorporate the city of Tecumseh.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hunt, unanimous consent being given, introduced

A bill to authorize the township of Delhi, in the county of Ingham, to raise by tax, a sum of money for the purpose of draining a swamp in said township.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Baxter, unanimous consent being given, introduced

A bill to amend an act entitled "an act to incorporate the village of Tecumseh," being act No. 84, of the session laws of the year 1859, approved Feb. 9th, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Baxter, unanimous consent being given, introduced

A bill to tax all stallions kept for service as such within this State.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Baxter, unanimous consent being given, introduced

A bill to restrict the running at large of fowls, and such animals as are not usually restrainable by ordinary fence enclosures.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Baxter, unanimous consent being given, introduced

A bill to amend an act entitled an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts, it being to amend section No. 3779 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to provide for the election by the people, of county superintendents of the poor, and to repeal act number 30, of the session laws of 1865, and all other acts and parts of acts inconsistent with the provisions of this act.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to regulate the discipline in the State Prison at Jackson, as applied to prisoners confined therein.

The bill was read a first and second time by its title, and referred to the committee on the State Prison.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to amend act 348, of the laws of 1865, entitled "An act to authorize the commissioners of highways to establish water-courses and locate ditches in certain cases," approved March 21, 1865, and to add one new section thereto.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Purcell, unanimous consent being given, introduced

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1867, as amended by several acts amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Thompson, unanimous consent being given, introduced

A bill to compel the vaccination of all the children in the State under two years of age, and of all other minors and adults, under certain circumstances.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Thompson, unanimous consent being given, introduced

A bill to incorporate the village of Charlotte, in Eaton county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. W. D. Williams, unanimous consent being given, introduced

A bill to amend section 3 of an act entitled "An act to authorize proceedings against garnishees, and for other purposes," approved March 28, 1849, being section 4779 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. W. D. Williams, unanimous consent being given, introduced

Joint resolution to forfeit the lands granted to the Marquette and Ontonagon railroad company, and to confer the said grant of lands upon some other company.

The joint resolution was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. W. D. Williams, unanimous consent being given, introduced

A bill to authorize the grants of swamp lands for the Ontonagon and State Line State road, to be used for the construction of two roads from Ontonagon southerly.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. McKernan, unanimous consent being given, introduced

A bill to amend section 5 of an act approved March 23, 1867, entitled an act to amend sections 5, 10 and 24, of an act entitled "an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other manufacturing purposes," approved February 5th, 1853, being sections 1803, 1808 and 1822, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on mines and minerals.

Mr. Boynton, unanimous consent being given, introduced

A bill to suppress incendiary fire, and to secure due care by insured persons against fire.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boynton, unanimous consent being given, introduced

A bill to provide for the construction of certain drains or ditches, in the county of St. Clair, and making an appropriation of swamp lands to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lane, unanimous consent being given, introduced

A bill to authorize proceedings to collect taxes to defray the expenses of constructing certain ditches in the county of Saginaw, and to appraise the damages arising from the construction of such ditches.

On motion of Mr. Lane,

The bill was ordered printed, and referred to the committee on drainage.

Mr. Barnaby, unanimous consent being given, introduced.

A bill authorizing any of the towns or municipalities in the counties of Clinton, Gratiot and Isabella, and the city of Lansing, in Ingham county, to pledge their credit to aid in constructing a railroad from the city of Lansing, in Ingham county, *via* St. Johns, in Clinton county, Ithaca, in Gratiot county, and Mount Pleasant, in Isabella county, to some point on the Flint and Pere Marquette railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Huston, unanimous consent being given, introduced

A bill to repeal paragraph of section one, of act No. 117, of the session laws of 1859, being an act entitled "an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches," (providing for the laying out and establishing of a State road, known as the Marquette and Bay de Noc State road,) approved February 12, 1859;

Also,

A bill to repeal section 7, of act No. 217, of the session laws of 1861, being an act entitled "an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches;"

Also,

A bill to repeal paragraph 20, of act No. 217, of the session laws of 1861, approved March 15, 1861, and the act amendatory thereto, approved March 14, 1865;

Also,

A bill making an additional appropriation of State swamp lands, for the improvement of the Port Huron, Bay City, and Lansing State road.

The bills were read a first and second time by their titles, and referred to the committee on public lands.

Mr. Kingsley, unanimous consent being given, introduced

A bill to amend act No. 138, entitled an act to amend section

1, of chapter 70, of the revised statutes of 1846, being section 2877, of chapter 94, of the compiled laws, entitled "of the administration and distribution of estates of deceased persons."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Miles, unanimous consent being given, introduced

A bill to amend and revise "An act to revise the charter of the city of Port Huron," approved Feb 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Woodard, unanimous consent being given, introduced

A bill to amend section 17, session laws of 1861, relative to the laying out, discontinuing and altering highways.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to provide for the protection of wild pigeons at certain seasons.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Westover, unanimous consent being given, introduced

A bill to amend an act relating to corporations for certain purposes, by adding three new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Elliott, unanimous consent being given, introduced

A bill to provide for the giving of abstracts by registers of deeds.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. White, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Southfield, county of Oakland, for the year 1868.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Mason, unanimous consent being given, introduced

A bill to further extend the time for the collection of taxes in the city of Flint, in the county of Genesee.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Yawkey, unanimous consent being given, introduced

A bill to enable the Rifle River and Wigwam Bay Boom Company to improve the navigation of Rifle river.

The bill was read a first and second time by its title, and referred to the committee on lumber interests.

Mr. Horton, unanimous consent being given, introduced

A bill to authorize any of the several townships and cities upon, and contiguous to or coterminous with the proposed line of railroad from the city of Detroit, to run north-westerly by the way of the village of Fenton and the Saginaw Valley, to some point on the north-western boundary of the State, to aid in its construction.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Mead, unanimous consent being given, introduced

A bill to provide for laying out and establishing a State road in the counties of Macomb and St. Clair.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Swift, unanimous consent being given, introduced

A bill to amend an act entitled "an act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture," approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. H. G. Williams, unanimous consent being given, introduced

A bill to amend section 5, of chapter 153, of the revised statutes, being section 5860, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.



Mr. H. G. Williams, unanimous consent being given, introduced

A bill to amend act No. 76, of the session laws of 1867, entitled "an act for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner," approved March 21, 1867, by adding 6 new sections thereto, to stand as sections 14, 15, 16, 17, 18 and 19.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Gifford, unanimous consent being given, introduced

A bill to amend section 1687 of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Miles, unanimous consent being given, introduced

Joint resolution granting block number 137, to the city of Lansing, for a public park.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Gifford, unanimous consent being given, introduced

A bill to amend section 2 of an act entitled "An act to incorporate the Grand Lodge of Free and Accepted Masons of the State of Michigan," approved April 2d, 1849.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Norton, unanimous consent being given, introduced

A bill to incorporate the village of Spring Lake, in the county of Ottawa.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Blake, unanimous consent being given, introduced

A bill to amend act 55, of the laws of 1867, entitled "An act to provide for county superintendents of schools," and to add two new sections thereto.